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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91218280
Party	Defendant Ibrahim Dabes dba Dabes Egyptian Imports
Correspondence Address	JOHN E LORD ONE LLP 9301 WILSHIRE BOULEVARD, PENTHOUSE SUITE BEVERLY HILLS, CA 90210 UNITED STATES jlord@onellp.com, crodriguez@onellp.com, info@onellp.com, avraden-burgh@onellp.com, smessina@onellp.com
Submission	Opposition/Response to Motion
Filer's Name	John E. Lord
Filer's e-mail	jlord@onellp.com, crodriguez@onellp.com, info@onellp.com
Signature	/s/John E. Lord
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Mya Saray, LLC, Opposer/Petitioner/Plaintiff, Dabes, Ibrahim DBA Dabes Egyptian Imports, Applicant/Respondent/Defendant.	)	Application Serial No. 86/025,182 Reg. No. 4536391 Proceeding No.: 91218280 Cancellation No: 92060249

OPPOSITION TO MOTION TO SUSPEND PROCEEDINGS PENDING CIVIL LITIGATION

Applicant/Respondent Ibrahim Dabes ("Dabes") hereby opposes Petitioner Mya Saray's ("Mya" or "Petitioner") Motion to Suspend Proceedings pending civil litigation. Dabes respectfully requests that Petitioner's Motion be denied and that these proceedings continue as scheduled.

STATEMENT OF FACTS

1. The present trademark dispute between Dabes and Petitioner involves two related proceedings - an Opposition proceeding No. 91218280, filed on September 10, 2014, and Cancellation proceeding No. 92060249, filed on October 24, 2014. Both proceedings involve the same parties, substantially similar issues and various registration marks. Given the substantial similarities between the two proceedings, the Board, *sua sponte* ordered the consolidation of the two proceedings on October 27, 2015.

2. Dabes' affirmative defenses in the dispute include, among others, that (1) Petitioner has not plead any law or facts that justify the refusal of its application or

cancellation of Dabes' mark, and consequently, Petitioner has failed to state a claim upon which relief can be granted, (2) Dabes' mark is not likely to cause confusion, to cause mistake or deception with the marks allegedly owned by Petitioner. Dabes' affirmative defense cites to a prior November 21, 2013, Office Action where the Trademark Examining Attorney assigned to the subject application, Serial No. 86/025,182, found, after searching the registered and pending marks, no likelihood of confusion and found "no conflicting marks that would bar registration under Trademark Act Section 2(d)."

3. On January 20, 2016, Petitioner filed a complaint in the United States District Court for the Eastern District of Virginia against Dabes and other defendants for trademark infringement and other related claims. On or about June 7, 2016, Petitioner dismissed the original complaint and filed a revised complaint (collectively, the "Virginia Action"). *See* Exhibit A. As of the date of filing of this Opposition, Petitioner has not served Dabes with process in the Virginia Action.

4. On March 23, 2016, Petitioner filed a Motion to Suspend Proceedings pending the Virginia Action.

5. At the time Petitioner filed its Motion to Suspend Proceedings, the expert disclosures due date had passed, and discovery was set to close on March 28, 2016.

6. On May 2, 2016, the Board granted Petitioner's Motion to Suspend Proceedings, and on July 25, 2016, the Board vacated its May 2, 2016, Order to reopen Petitioner's current Motion to Suspend.

ARGUMENT

I. SUSPENSION OF A BOARD PROCEEDING IS NOT GRANTED A MATTER OF RIGHT

The suspension of a Board proceeding pending the final determination of another proceeding is solely within the discretion of the Board and not granted as a matter of right. *See* T.B.M.P. § 510.02(a) ("Whenever it comes to the attention of the Board that a party or parties to a case pending before it are involved in a civil action which may have a bearing

on the Board case, proceedings before the Board may be suspended until final determination of the civil action."). This permissive language "make[s] clear that suspension is not the necessary result in all cases." *Boyds Collection Ltd v. Herrington & Company*, 2003 WL 152427, at *2, (TTAB Jan. 16, 2003). The Board should use its discretion to deny Petitioner's Motion for the following reasons:

First, Petitioner has not served Dabes in the Virginia Action and therefore the Virginia Action is not a "live and ongoing litigation" as Petitioner contends in its moving papers. Petitioner Motion, p. 2. Further, the docket in the Virginia Action does not indicate that Petitioner has made any attempts to serve Dabes. Without formal service, the Virginia Action will have no precedential affect against Dabes before the Board in this TTAB action.

Second, Petitioner could have filed the Virginia Action years ago, but waited until the eve of trial in this TTAB action before moving to stay. Petitioner has not provided any justification for its delay, as it appears to have been made for the sole purpose of delay and avoiding final adjudication of the validity of Dabes' marks. Specifically, this matter has been pending in this forum for almost two years. This proceeding is in its late stages. Discovery has been exchanged, and at the time of filing the Motion to Suspend, a mere five days remained in the discovery period, suggesting that the filing of the Virginia Action was nothing more than a tactical attempt to avoid the trial period and to circumvent a decision on the merits of the present proceeding. On these issues, all that is left is for the parties to proceed to trial. Simply put, Petitioner wants to play procedural games with its responsibilities. The Board should move forward with its proceedings.

Further, Petitioner's request to stay is also inefficient. As stated in Petitioner's Motion, "final determination by a District Court in a trademark infringement litigation can take a matter of months and in some cases, a matter of years." Petitioner's Motion, p. 2. In this instance, as the Petitioner has not yet even served Dabes, a final determination will likely be a "matter of years." In vast contrast, prior to this Motion, the present consolidated case was scheduled to be ready for a decision October 9, 2016. Assuming resumption of this case,

the case can be set for decision in less than 6 months. The discovery period is all but exhausted, discovery disputes have been resolved by this Board, and the parties need only submit testimony and present trial briefs. As set forth in Petitioner's Motion, not only is Dabes a party to the Virginia action, but so are its alleged national distributors. *See* Ex. A. The number of defendants in the Virginia case will complicate and expand the realistic time period for resolution, of not just the issues before the Board, but a plethora of additional issues that will not be resolved with the simple resolution of whether the marks in this proceeding are likely to cause confusion with the Petitioner's asserted registrations.

Allowing a Board action to resolve the dispute would be faster and to the advantage of both sides of the dispute. If the proceedings are suspended, the past few years that Dabes has had to defend itself in the TTAB against Petitioner will be for naught, and Dabes, who has not even been served in the Virginia Action will have to wait to start over and defend itself – at great expense – all over again. As stated above, this proceeding has been pending before the Board for two years and all that is left is for the parties to proceed to trial. Petitioner's stay strategy treats this Board as a dumping ground for Petitioner's proceedings to invalidate Dabes' current and pending marks. Moreover, Petitioner's approach guarantees that the parties will neither receive the Board's nor the Court's guidance for years. As competitors in this marketplace, Dabes should be allowed to dispose of Petitioner's claims as efficiently as possible. Indeed, the longer this dispute wains, the longer a cloud resides over Dabes' property, which potentially affects its use in the marketplace, thereby damaging Dabes.

II. SUSPENSION IS NOT PROPER WHEN A CIVIL ACTION DOES NOT INVOLVE MARKS THAT ARE DIRECTLY IN COMMON WITH THOSE IN THE INSTANT BOARD ACTION.

The Board should also deny Petitioner's Motion because a decision by the district court in the Virginia Action will not resolve the registration issues pending in this Board

proceeding, specifically, U.S. Registrations 3,684,312 ("'312"), 3,684,311 ("'311") and 3,840,577 ("'577"). These marks are not at issue in the Virginia Action and the district court's decision will have no bearing on the issues before the Board.[1]

The Board may not suspend proceedings in a case before it if the other proceeding does not have a bearing on the issues. TBMP § 510.02(a) (2015). *See General Motors Corp. v. Cadillac Club Fashions Inc.*, 22 USPQ2d 1933 (TTAB 1992) (relief sought in federal district court included an order directing Office to cancel registration involved in cancellation proceeding). Only where a civil action involves the same marks at issue in a consolidated Board proceeding will a suspension to those marks be proper. *See, e.g., Synergent v. Credit Union 24 Incorporated*, Paper 19, June 6, 2016 (TTAB 2016) (granting a motion to suspend because a civil action had bearing on TTAB proceedings when the same marks were at issue); *D & D Commodities Limited v. Cole's Wild Bird Products Co.*, Paper 20, January 27, 2016 (TTAB 2016) (granting motion to suspend when the same marks at issue in the consolidated proceedings). A court's decision regarding the specific right to registration is binding on the TTAB. *Whopper-Burger, Inc. v. Burger King Corp.*, 171 U.S.P.Q. 805, 807 (TTAB 1971).

Here, Petitioner primarily argues that the Virginia Action involves all the issues present in this TTAB proceeding and that a decision in the Virginia Action will have a bearing on this matter. Petitioner Motion, p. 3. This assertion is false. To prevail on its infringement claim, Petitioner will need to establish its rights in the asserted marks, and establish that there is a likelihood of confusion with its asserted marks and Dabes' marks. The marks involved in these proceedings, however, differ from those asserted in the Virginia Action. Specifically, in this TTAB action, Petitioner seeks to oppose Dabes' marks based upon the

[1] Petitioner seems to overstate its complaint as well. For instance, Petitioner states that "[a] ruling by the District Court that Dabes has no right to use AMY, which Mya Saray seeks, would vitiate all rights to any of its design marks bearing the term AMY." Petitioner's Motion, p. 3. This is misleading. Petitioner has not asked for any relief by the Court for a ruling that Dabes should have no rights to use the term AMY. Thus, this point is not at issue and has no bearing on this proceeding either.

following Petitioner marks: the ’439, ’440, ’312, ’311, and ’577 registrations. *See* Dkt. 1 (ESTTA626386). Conversely, the Virginia Action involves, the ’439, ’440, ’443, ’276, and ’908 registrations. *See* Ex. A, ¶¶ 6-7. These cases are not so similar that it is efficient to suspend the present proceeding in favor of resolving a newly filed court case that has not yet been served on all parties, the case having multiple new parties, additional asserted registrations that are not included in the TTAB proceeding, and which fails to include all of the asserted registrations in the court proceeding. Thus, the TTAB is the only appropriate forum for efficient relief and suspension of these proceedings is improper.

CONCLUSION

For all of these reasons, Dabes respectfully requests that the Board deny Petitioner’s Motion to Suspend Proceedings pending civil litigation.

Respectfully submitted,

Date: August 9, 2016

/s/*John E. Lord*
John E. Lord

Attorney for Applicant
ONE LLP
9301 Wilshire Boulevard
Penthouse Suite
Beverly Hills, CA 90210
Ph: 310-866-5157
Fax: 310-943-2085
Email: jlord@onellp.com

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

Docket No. 1:16cv629

MYA SARAY, LLC

Plaintiff

v.

DABES, IBRAHIM dba
DABES EGYPTIAN IMPORTS

and

ALLABADIE, ALLA dba
WORLD SMOKE SHOP and dba
SHISHA CENTER

Defendants

JURY TRIAL DEMANDED

COMPLAINT

Mya Saray, LLC for its complaint against Ibrahim Dabes and Alla Allabadie avers with knowledge as to its own acts and otherwise on information and belief as follows:

THE PARTIES

1. The Plaintiff Mya Saray, LLC ("Mya Saray") is a limited liability company organized and existing under the laws of the Commonwealth of Virginia, with its principal place of business at 43671 Trade Center Pl #114, Sterling, VA 20166.

2. Defendant Ibrahim Dabes, dba Dabes Egyptian Imports, (collectively, "Dabes") is a sole proprietorship, with a mailing address of Neuburger Str. 109 Augsburg; Fed Rep Germany 86167.

3. Defendant Alla A. Allabadie doing business as a California sole proprietor as "World Smoke Shop" and also doing business as a California sole proprietor as "Shisha Center" all at 508 South Brookhurst St., Anaheim, CA 92804 (collectively, "Allabadie").

JURISDICTION AND VENUE

4. This civil action arises under the Patent, Unfair Competition, and Copyright laws of the United States, as well as the laws of Virginia, including 35 U.S.C. §271, 15 U.S.C. §§1114 and 1125, and 17 U.S.C. §501. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(b), and supplemental jurisdiction for VCPA, VUTSA, and contract claims pursuant to 28 U.S.C. § 1367(a). Venue is proper under 28 U.S.C. §§ 1391(b) and 1400(b). Ibrahim Dabes and Allabadie (collectively, "Defendants") are subject to personal jurisdiction in this district.

FACTS

5. Mya Saray is a manufacturer and distributor of tobacco products, particularly hookahs and hookah accessories, and has been in existence since 1863.

6. Mya Saray sells tobacco products under its MYA brand ("MYA Tobacco Products"), throughout the world, and nationally under the federally registered trademarks MYA, Reg. No. 3,031,439 ("the '439 registration" or the "Mya Word Mark") and MYA (as stylized), Reg. No. 3,031,440 ("the '440 registration" or the "Mya Design Mark"), and Reg. No. 4,693,443 ("the '443 registration). True copies of the '439 registration and the '440 registration and the '443 registration are attached hereto as Exhibit A and Exhibit B and Exhibit C, respectively. The MYA Tobacco Products are

associated with many common law trademarks owned by Mya Saray, including the trade dress of packaging, various depictions of the term "MYA," along with product designs of various hookahs (collectively, MYA Common Law Trademarks). These MYA Common Law Trademarks are distinctive, non-functional, extend throughout the United States and its territories, and are buttressed by lengthy use and substantial consumer recognition.

7. Mya Saray manufactures, distributes, advertises, publicizes, sells, and offers to sell the Mya QT hookah, depicted in Exhibit D. The product design of this hookah ("QT Hookah") is distinctive, non-functional, and serves as a trademark. Furthermore, the QT Hookah is composed of a distinctive hookah stem design ("QT Stem") and a distinctive hookah base ("QT Base"), each separately trademarked and capable of independently acting as an indicator of source. The QT Base is protected by U.S. Trademark Reg. No. 3,845,276 ("the '276 registration). Exhibit E. The brand name "QT" is protected by U.S. TM. Reg. No. 4,562,908 ("the '908 registration" or the "QT Word Mark"). A true copy of the '908 registration is attached hereto as Exhibit F

8. Mya Saray is the exclusive owner of United States Patent No. 8,001,978 ("the '978 patent") with authority to enforce that patent. Exhibit G.

9. Mya Saray is the exclusive owner of United States Patent No. 7,806,123 ("the '123 patent") with authority to enforce that patent. Exhibit H.

10. Mya Saray is the exclusive owner of United States Patent No. 8,573,229 ("the '229 patent") with authority to enforce that patent. Exhibit I.

11. Mya Saray is the exclusive owner of United States Patent No. 9,107,456 ("the '456 patent") with authority to enforce that patent. Exhibit J.

12. The MYA brand is one of the most counterfeited brands in the world. The QT Hookah is the world's most counterfeited hookah.

13. Dabes is a German industrialist that has been importing hookahs and hookah accessories ("Dabes Tobacco Products") from third party manufacturers, primarily in China, for resale in Europe.

14. Mya Saray first encountered Dabes on or about 2009 when Dabes requested authority to distribute Mya Saray hookahs throughout Europe along with the Dabes Tobacco Products.

15. In performing due diligence, Mya Saray uncovered that Dabes was involved in significant counterfeiting activities, including offering counterfeits of multiple Mya Saray hookahs in the Dabes Tobacco Products line. Mya Saray refused Dabes distribution rights in any territory shortly after his request for such rights.

16. Subsequent to Mya Saray's refusal of Dabes' attempted distribution rights, Dabes expanded the Dabes Hookahs to include as a subset brand of "AMY" ("AMY Tobacco Products"), a brand that Dabes applied, and applies, to Dabes Tobacco Products throughout Europe. The term "AMY" was depicted on hookahs and hookah cases, and portrayed in packaging for tobacco products, advertisement, and sales media for the Dabes Hookahs.

17. The designation "AMY" was adopted by Dabes purely as a rouse to create, and exploit, consumer confusion occurring between the MYA and AMY products. Such confusion has actually resulted.

18. Dabes has ordered counterfeits and knock-offs of MYA Tobacco Products for the knowing purpose of confusing consumers, and permitting and encouraging its

distributors and retailers to confuse consumers. For example, many of Dabes' "Jinn" hookah, which is a counterfeit of the MYA QT Hookah, is frequently sold in Europe and into the United States as an AMY QT hookah or DABES QT hookah.

19. On or about July 31, 2013 Dabes filed an application in the U.S. Patent and Trademark Office for registration of a logo comprising the term "AMY DELUXE" as a logo, U.S. App. Ser. No. 86,025,122 ("the '122 application").

20. On or about July 31, 2013 Dabes filed an application in the U.S. Patent and Trademark Office for registration of a logo comprising the term "AMY GOLD TOBACCO MOLASSES" as a logo, U.S. App. Ser. No. 86,025,182 ("the '182 application").

21. Dabes exports into the United States its Dabes Tobacco Products, including AMY Tobacco Products, to two national distributors, Premium Molasses and Allabadie. Premium Molasses and Allabadie acted in unison to accept imported AMY Tobacco Products and distribute them to retail stores throughout the United States.

22. The Dabes Tobacco Products include multiple products that infringe Mya Saray's intellectual property, and these products were knowingly created (and ordered to be created) by Defendants for the purpose of knowingly infringing Mya Saray's intellectual property rights. The scope of infringement is vast.

23. Defendants provide AMY Tobacco Products to Internet retailers in the United States and Europe that sell and offer to sell AMY Tobacco Products into the United States and this district via website shopping carts, including: http://5starhookah.com/AMY_c200.htm; http://www.smoking-hookah.com/hookahs;

http://www.texashookah.com/hookahs.html;

http://www.smokyhookah.com/hookahs.html; et. al.

24. Multiple retail stores, and other establishments, in this district sell, offer to sell, and use, and permit the use, of Dabes Tobacco Products, including AMY Tobacco Products.

25. In late 2013, Mya Saray warned Dabes via cease-and-desist letter to avoid selling its infringing products in the United States including any AMY Tobacco Products.

26. Subsequent to both Mya Saray's warnings and Article II litigation between Mya Saray and Dabes, Dabes escalated its copying of MYA Tobacco Products brands. Dabes copied hues, tones, and other elements of Mya Saray's packaging, which constitutes protectable trade dress as Mya Saray's Common Law Trademarks, to intensify the likelihood of confusion between the AMY and MYA brands. The elements of Mya Saray's packaging constitute a creative work protectable under Title 17, and Mya Saray's Freeze Hose Product Packaging is protected by Copyright, Case No. 1-3566596511, ("the '511 Copyright"). See Exhibit K.

27. Examples of Dabes packaging for the AMY Tobacco Products sold in the United States that violates Mya Saray's Common Law Trademarks are shown in Exhibit L ("AMY Accessory Packaging") and Exhibit M ("AMY Cooling Hose Packaging"). The AMY Cooling Hose Packaging is a copy of the '511 Copyright and Mya Saray's Freeze Hose Product Packaging.

28. In late 2013, Mya Saray warned Shisha Center, Inc., a California-based national distributor, to avoid selling its infringing products in the United States including any AMY Tobacco Products or face litigation. Allabadie, through Shisha Center, Inc.,

agreed to cease all activities related to AMY Tobacco Products in exchange for Mya Saray's promise not to pursue litigation ("Settlement Agreement").

29. Shisha Center, Inc. was a California corporation, now dissolved, controlled by Allabadie that existed while performing the acts of this Complaint.

30. Shortly subsequent to Mya Saray's warning letter to Shisha Center, Allabadie and Dabes arranged for the import of a container of AMY Tobacco Products through Allabadie's World Smoke Shop entity, which Products Allabadie then sold. Allabadie never intended to abide by the Settlement Agreement, and used World Smoke Shop as an obscured, discreet alter ego to arrange for the imports that he knew were in violation of both law and contract.

CLAIMS FOR RELIEF

Count I. Violation of 15 U.S.C. § 1125(a)
Unfair Competition and Deceptive Marketing

31. Mya Saray incorporates by reference the preceding paragraphs of this Complaint as though fully set forth herein.

32. The conduct of Defendants constitutes use in commerce of designations and dress, false designations of origin, false or misleading descriptions of fact, and false or misleading representations of fact likely to confuse and deceive a substantial number of distributors in the trade, relevant consumers, and other purchasers as to the affiliation, connection, or association of Defendants with Mya Saray and others, in violation of 15 U.S.C. § 1125(a)(1)(A).

33. The conduct of Defendants constitutes use in commerce of designations and dress, false designations of origin, false or misleading descriptions of fact, and false

or misleading representations of fact likely to confuse and deceive a substantial number of distributors in the trade, relevant consumers, and other purchasers as to the origin, sponsorship, or approval of Defendants' goods and commercial activities as they relate to Mya Saray and others, in violation of 15 U.S.C. § 1125(a)(1)(A).

34. The conduct of Defendants constitutes use in commerce of designations and dress, false designations of origin, false or misleading descriptions of fact, and false or misleading representations of fact that in commercial advertising and promotion misrepresent the nature, characteristics, and qualities of Defendants' goods and commercial activities in violation of 15 U.S.C. § 1125(a)(1)(B).

35. The conduct of Defendants in unfairly competing with Mya Saray is willful and deliberate and done with an intent to misrepresent the nature, characteristics, and qualities of Defendants' goods, and confuse, mislead, and deceive a substantial number of distributors in the trade, relevant consumers, and other purchasers, and members of the public as to the origin of Defendants' goods and to cause said persons to believe that the goods have been sponsored, approved, authorized, or licensed by Mya Saray.

36. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count II. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '439 Registration

37. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

38. The conduct of Defendants in using the MYA Word Mark and colorable imitations thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

39. The conduct of Defendants in reproducing the MYA Word Mark and colorable imitations and counterfeits thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

40. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count III. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '440 Registration

41. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

42. The conduct of Defendants in using the MYA Design Mark and colorable imitations thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

43. The conduct of Defendants in reproducing the MYA Design Mark and colorable imitations and counterfeits thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used

in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

44. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count IV. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '276 Registration

45. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

46. The conduct of Defendants in using the QT Hookah product design and colorable imitations and counterfeits thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

47. The conduct of Defendants in reproducing the QT hookah product design and colorable imitations and counterfeits thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

48. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count V. Violation of 15 U.S.C. § 1114

Registered Trademark Infringement of the '443 Registration

49. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

50. The conduct of Defendants in using the MYA logo of the '443 registration and colorable imitations and counterfeits thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

51. The conduct of Defendants in in using the MYA logo of the '443 registration and colorable imitations thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

52. Defendants' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

Count VI. Violation of 15 U.S.C. § 1114
Registered Trademark Infringement of the '908 Registration

53. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

54. The conduct of Dabes in, and encouraging the use of, the QT Word Mark of the '908 registration and colorable imitations and counterfeits thereof in connection with the sale, offering for sale, distribution, and advertising of tobacco products is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(a).

55. The conduct of Dabes in in using the MYA logo of the '443 registration and colorable imitations thereof and applying the reproduction to labels, signs, prints, packages, wrappers, receptacles or advertisements with the intent to be used in commerce with the sale, offer for sale, distribution, and advertising of tobacco products and such use is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1114(1)(b).

56. Dabes' conduct is causing Mya Saray immediate and irreparable injury and will continue to both damage Mya Saray and deceive the public unless enjoined by this court. Mya Saray has no adequate remedy at law.

57. To Mya Saray's knowledge, this Count is not presently applicable to Allabadie.

Count VII. Patent Infringement
Infringement of the '978 Patent

58. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

59. The '978 patent, which was duly and lawfully granted on August 23, 2011, describes and claims a smoking apparatus.

60. Dabes has been and is infringing, inducing infringement of, and contributing to the infringement of the '978 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including the AMY "Jinn" hookah, that reads on the '978 patent claims, all without the consent of Mya Saray.

61. Mya Saray has been and will continue to be damaged by the infringing activities of Defendants and will be irreparably harmed unless those infringing activities are enjoined by this Court.

62. Mya Saray provided notice to Defendants of its infringements, and all actions of this Count are conducted with knowledge of the wrongfulness thereof and Defendants intended to perpetrate the infringements described herein.

63. To Mya Saray's knowledge, this Count is not presently applicable to Allabadie.

Count VII. Patent Infringement
Infringement of the '229 Patent

64. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

65. The '229 patent, which was duly and lawfully granted on Nov. 5, 2013, describes and claims a multiple port, pressure-responsive adjustable hookah.

66. Defendants have been and are infringing, inducing infringement of, and contributing to the infringement of the '229 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including *at least* the model designated by Defendants as AMY0006, as well as other hookahs, that read on the '229 patent claims, all without the consent of Mya Saray.

67. Mya Saray has been and will continue to be damaged by the infringing activities of Defendants and will be irreparably harmed unless those infringing activities are enjoined by this Court.

68. Mya Saray provided notice to Defendants of its infringements, and all actions of this Count are conducted with knowledge of the wrongfulness thereof and Defendants intended to perpetrate the infringements described herein.

Count VIII. Patent Infringement
Infringement of the '123 Patent

69. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

70. The '123 patent, which was duly and lawfully granted on October 5, 2010, describes and claims a modular smoking apparatus.

71. Defendants have been and are infringing, inducing infringement of, and contributing to the infringement of the '123 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including *at least* the model designated as AMY630 as well as other hookahs, that read on the '123 patent claims, all without the consent of Mya Saray.

72. Mya Saray has been and will continue to be damaged by the infringing activities of Defendants and will be irreparably harmed unless those infringing activities are enjoined by this Court.

73. Mya Saray provided notice to Defendants of its infringements, and all actions of this Count are conducted with knowledge of the wrongfulness thereof and Defendants intended to perpetrate the infringements described herein.

Count IX. Patent Infringement
Infringement of the '456 Patent

74. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

75. The '456 patent, which was duly and lawfully granted on August 18, 2015, describes and claims a hookah hose and hookah system.

76. Dabes has been and are infringing, inducing infringement of, and contributing to the infringement of the '456 patent by making, using, offering for sale and/or selling, in these United States, or importing into these United States articles, including *at least* the product of Exhibit M as well any hookahs used therewith, that read on the '456 patent claims, all without the consent of Mya Saray.

77. Mya Saray has been and will continue to be damaged by the infringing activities of Defendants and will be irreparably harmed unless those infringing activities are enjoined by this Court.

78. Mya Saray provided notice to Defendants of its infringements, and all actions of this Count are conducted with knowledge of the wrongfulness thereof and Defendants intended to perpetrate the infringements described herein.

79. To Mya Saray's knowledge, this Count is not presently applicable to Allabadie.

Count X. Copyright Infringement
AMY Cooling Hose Packaging

80. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

81. Without the authorization of Mya Saray, Dabes is, and is contributing to and aiding others in, reproducing the works of the '511 Copyright in copies; preparing derivative works of the '511 Copyright; distributing copies of the '511 Copyright to the public by sale or other transfer of ownership; performing and displaying the '511

Copyright publicly; and digitally transmitting the '511 Copyright for purposes of public performance (collectively, "Package Copyright Infringement").

82. Dabes' Package Copyright Infringement has damaged Mya Saray and has been and continues to be willful and deliberate and with full knowledge of Mya Saray's rights.

83. Defendants will continue their acts of Package Copyright Infringement unless enjoined by this Court.

84. As a result of the Package Copyright Infringement, Softech has suffered and continues to suffer damages in an amount to be proven at trial.

85. To Mya Saray's knowledge, this Count is not presently applicable to Allabadie.

Count XI. Breach of Contract

86. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

87. The Agreement between Allabadie and Mya Saray whereby Allabadie would cease further sales activities related to AMY Tobacco Products was duly executed by both Mya Saray and All Fun and is enforceable.

88. Mya Saray performed in accordance with the Agreement.

89. Allabadie has breached the Agreement and caused actual damages to Mya Saray that are recoverable under Virginia law.

90. To Mya Saray's knowledge, this Count is not presently applicable to Dabes.

Count XII. Actual and Constructive Fraud

91. Mya Saray incorporates herein by reference all preceding allegations of this Complaint as though fully set forth herein.

92. Allabadie did, with knowledge of the falsity thereof or reckless disregard therefor, represent to Mya Saray that he would cease all sales activities related to the AMY Tobacco Products.

93. Allabadie did intend to induce reliance in Mya Saray in believing that it had ceased all sales activities related to the AMY Tobacco Products.

94. Mya Saray did reasonably rely on Allabadie representations and was damaged thereby.

95. In performing the acts within this count, Allabadie acted with malice and disregard for the rights of Mya Saray.

96. To Mya Saray's knowledge, this Count is not presently applicable to Dabes.

WHEREFORE, Plaintiff prays for judgment:

A. That Mya Saray is the owner of U.S. Patents of this action and has the right to sue and collect damages for any and all infringements thereof;

B That the U.S. Patents of this action remains good and valid in law and have been infringed by Defendants;

C. That Defendants, and their officers, agents, servants, and employees and those persons in active concert and participation with or controlled by any of them, be

preliminarily and permanently enjoined and restrained from infringing, inducing infringement of, and contributing to the infringement of the U.S. Patents of this action;

D. That Mya Saray is the sole and exclusive owner of the Trademarks referenced in this Complaint, including Mya Saray's Common Law Trademarks, including the creative works associated therewith, including the '511 Copyright; and that Mya Saray has the right to sue for its damages for any and all infringements thereof and trespasses thereupon;

E. That Defendants have unfairly competed with Mya Saray in violation of these United States, including 15 U.S.C. §§1125 and 1114.

F. That this Court order Defendants, their agents, associates, employees, attorneys, and any other person in active concert or participation with them, be forthwith preliminarily and permanently enjoined from: using, alone or in combination, any of Mya Saray's trademarks as registered or at the common law;

G. That Mya Saray be awarded all damages related to the unlawful actions of Defendants as characterized by this Complaint, and/or statutory damages for counterfeiting and other actions as recoverable under the U.S. Lanham Act.

H. That Defendants be required to account for and to disgorge its profits and that Mya Saray be awarded its damages and that those damages be trebled, together with interest and costs;

I. That Mya Saray be awarded its reasonable attorney's fees and costs in this action;

J. That all infringing articles and all means of making the same be delivered up and destroyed, at the costs of the Defendants;

K. That this Court order the cancellation of any trademark rights recognized by the U.S. Patent and trademark office for any name, symbol, or device utilized by Defendants confusingly similar to any protectable trademark of Mya Saray, including Dabes' U.S. Trademark Application Serial Nos. 86/025,182 and 86/025,122.

L. That Mya Saraybe awarded such further relief as this Court may deem just and proper.

JURY DEMAND

Mya Saray demands a trial by jury pursuant to Fed. R. Civ. Pro. 38 as to all issues triable of right to a jury.

DATED: June 7, 2016

By _____

M. Keith Blankenship, Esq.
Attorney for Plaintiff
VSB# 70027
Da Vinci's Notebook, LLC
10302 Bristow Center Dr
No. 52
Bristow, VA 20136
703-581-9562
keith@dnotebook.com

EXHIBIT A

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 3,031,439
Registered Dec. 20, 2005

TRADEMARK
PRINCIPAL REGISTER

MYA

MYA SARAY, LLC (VIRGINIA LIMITED LIABILITY CORPORATION)
SUITE 1414 EAST
3709 SOUTH GEORGE MASON DRIVE
FALLS CHURCH, VA 22041

FOR: WATER PIPES FOR SMOKING, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 3-1-2002; IN COMMERCE 3-1-2002.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-349,755, FILED 1-9-2004.

ANN E. SAPPENFIELD, EXAMINING ATTORNEY

EXHIBIT B

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 3,031,440

Registered Dec. 20, 2005

TRADEMARK
PRINCIPAL REGISTER

MYA

MYA SARAY, LLC (VIRGINIA LIMITED LIABILITY CORPORATION)
SUITE 1414 EAST
3709 SOUTH GEORGE MASON DRIVE
FALLS CHURCH, VA 22041

FOR: WATER PIPES FOR SMOKING, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 3-1-2002; IN COMMERCE 3-1-2002.

THE MARK CONSISTS OF THE NAME MYA IN STYLIZED FORM.

SER. NO. 78-349,903, FILED 1-9-2004.

ANN E. SAPPENFIELD, EXAMINING ATTORNEY

EXHIBIT C

United States of America
United States Patent and Trademark Office

Reg. No. 4,693,443

Registered Feb. 24, 2015

Int. Cl.: 34

TRADEMARK

PRINCIPAL REGISTER

MYA SARAY, LLC (VIRGINIA LIMITED LIABILITY COMPANY)
UNIT 114
43671 TRADE CENTER PLACE
STERLING, VA 20166

FOR: TOBACCO PRODUCTS, NAMELY, HOOKAHS AND HOOKAH ACCESSORIES, NAMELY, HOOKAH STEMS, HOOKAH BASES, HOOKAH TONGS, HOOKAH PLATES, HOOKAH BOWLS, HOOKAH HOSES, HOOKAH CASES, AND HOOKAH GROMMETS; TOBACCO SUBSTITUTE; HERBS FOR SMOKING, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 11-20-2014; IN COMMERCE 11-20-2014.

THE MARK CONSISTS OF AN INDEPENDENT ARRANGEMENT OF THE LETTER "M" AND "Y" AND "A" ENCAPSULATED BY A SQUARE, CIRCLE, AND SQUARE, RESPECTIVELY.

SN 86-230,745, FILED 3-24-2014.

JUSTINE D. PARKER, EXAMINING ATTORNEY

Michelle K. Lee

Deputy Director of the United States Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at http://www.uspto.gov.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at http://www.uspto.gov.

EXHIBIT D

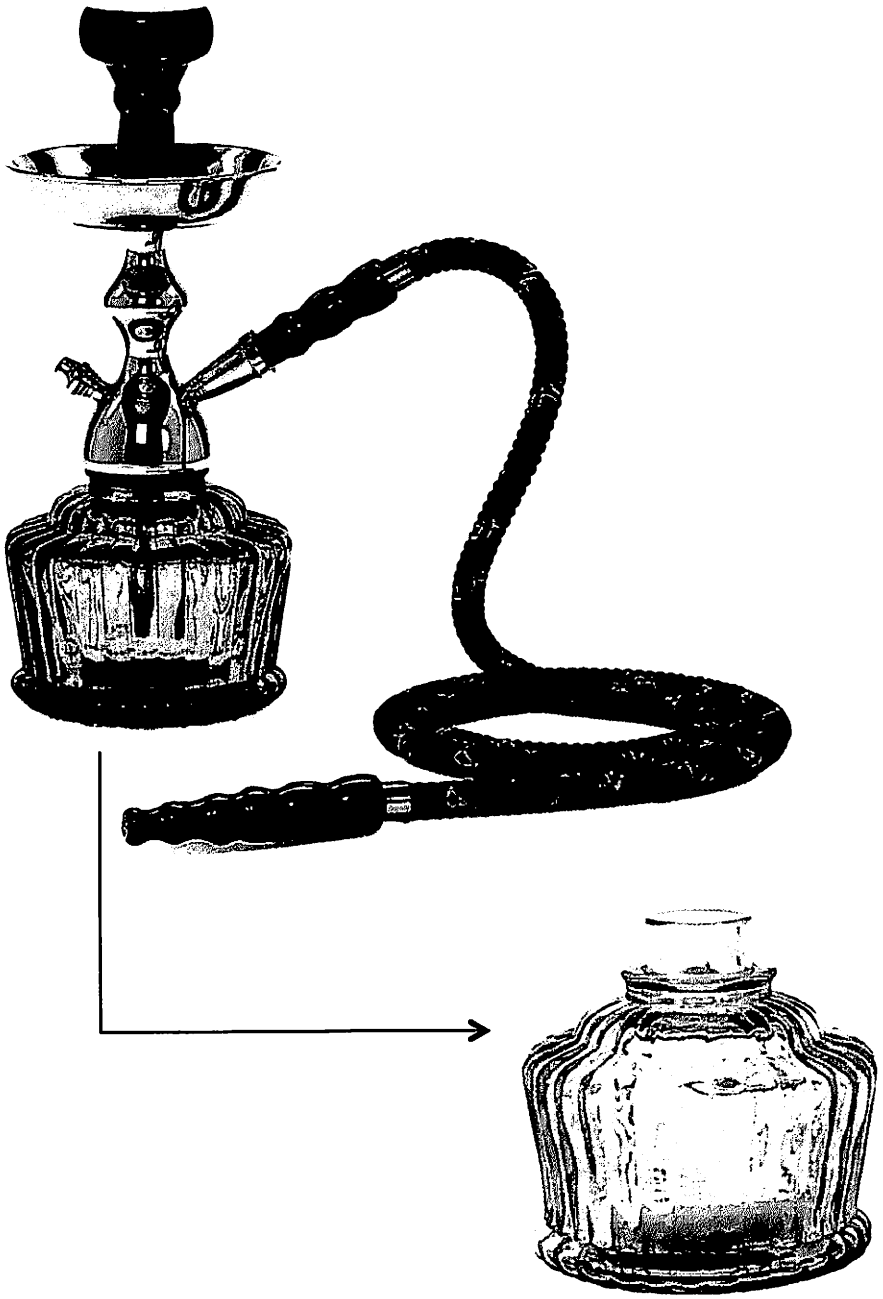
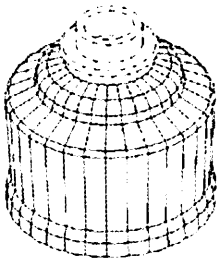


EXHIBIT E

United States of America

United States Patent and Trademark Office



Reg. No. 3,845,276

Registered Sep. 7, 2010

Int. Cl.: 34

TRADEMARK

PRINCIPAL REGISTER

MYA SARAY, LLC (VIRGINIA LIMITED LIABILITY COMPANY)
UNIT 114
43671 TRADE CENTER PLACE
STERLING, VA 20166

FOR: HOOKAHS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 11-7-2005; IN COMMERCE 11-7-2005.

THE MARK CONSISTS OF A THREE-DIMENSIONAL CONFIGURATION OF A HOOKAH BASE THAT IS GENERALLY CIRCULAR IS DESIGN AND HAS SEVERAL GRADUATED LEVELS. THE MATERIAL SHOWN IN BROKEN LINES IS NOT PART OF THE MARK.

SEC. 2(F).

SER. NO. 77-959,010, FILED 3-15-2010.

SHARON MEIER, EXAMINING ATTORNEY

UNITED STATES PATENT AND TRADEMARK OFFICE · DEPARTMENT OF COMMERCE

David J. Kappos

Director of the United States Patent and Trademark Office

EXHIBIT F

United States of America
United States Patent and Trademark Office

QT

Reg. No. 4,562,908

Registered July 8, 2014

Int. Cl.: 34

TRADEMARK

PRINCIPAL REGISTER

MYA SARAY, LLC (VIRGINIA LIMITED LIABILITY COMPANY)
UNIT 114
43671 TRADE CENTER PLACE
STERLING, VA 20166

FOR: HOOKAHS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 11-7-2005; IN COMMERCE 11-7-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

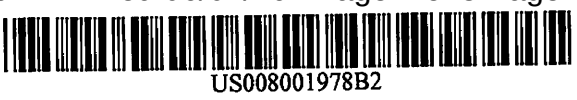
SER. NO. 86-079,060, FILED 9-30-2013.

JOHN DALIER, EXAMINING ATTORNEY

Michelle K. Lee

Deputy Director of the United States Patent and Trademark Office

EXHIBIT G



(12) **United States Patent**
Mehio

(10) **Patent No.: US 8,001,978 B2**
(45) **Date of Patent: *Aug. 23, 2011**

(54) **SMOKING APPARATUS**

(75) Inventor: **Nizar Youssef Mehio**, Tallet El Khayet (LB)

(73) Assignee: **Mya Saray, LLC**, Sterling, VA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 190 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **11/201,289**

(22) Filed: **Aug. 11, 2005**

(65) **Prior Publication Data**

US 2006/0272658 A1 Dec. 7, 2006

(51) **Int. Cl.**
A24F 1/14 (2006.01)
A24F 1/30 (2006.01)

(52) **U.S. Cl.** **131/173**; 131/221; 131/229; 131/201; 131/207

(58) **Field of Classification Search** 131/173
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

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3,918,464	A *	11/1975	Kolodziej	131/173
4,134,410	A *	1/1979	Kahler	131/173
5,908,531	A *	6/1999	Laurent	156/396

FOREIGN PATENT DOCUMENTS

DE 2004134 U1 * 5/2000

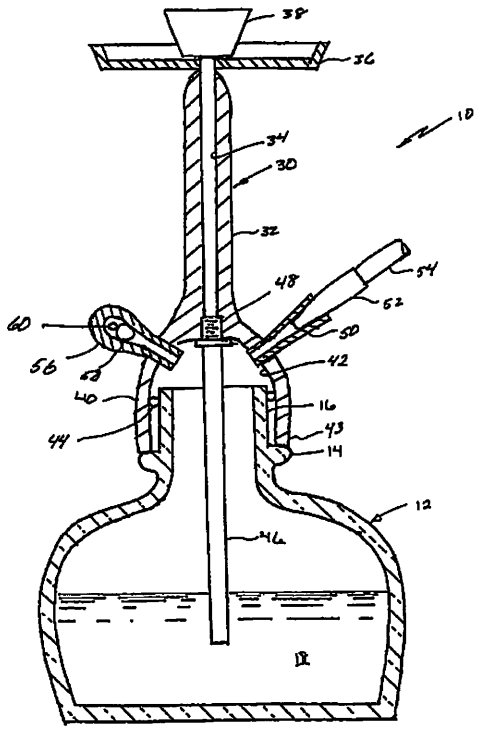
* cited by examiner

Primary Examiner — Richard Crispino
Assistant Examiner — Phu Nguyen
(74) *Attorney, Agent, or Firm* — General Counsel, P.C.

(57) **ABSTRACT**

An improved smoking apparatus includes a bottle containing a fluid. The bottle has an upstanding neck with peripheral collar formed around the external periphery thereof. A stem has a base and a neck. The base defines an interior plenum, and a passage extends through the neck and terminates at the interior passage. A burner cup is mounted to the stem in communication with the passage. The interior plenum has a size and shape to permit the stem to be coupled to the bottle by placing the base over the neck, with a bottom edge of the base resting on the collar of the bottle. A sealing element is disposed between the exterior surface of the neck of the bottle and the inner surface of the interior plenum to provide a substantially air-tight coupling.

14 Claims, 1 Drawing Sheet



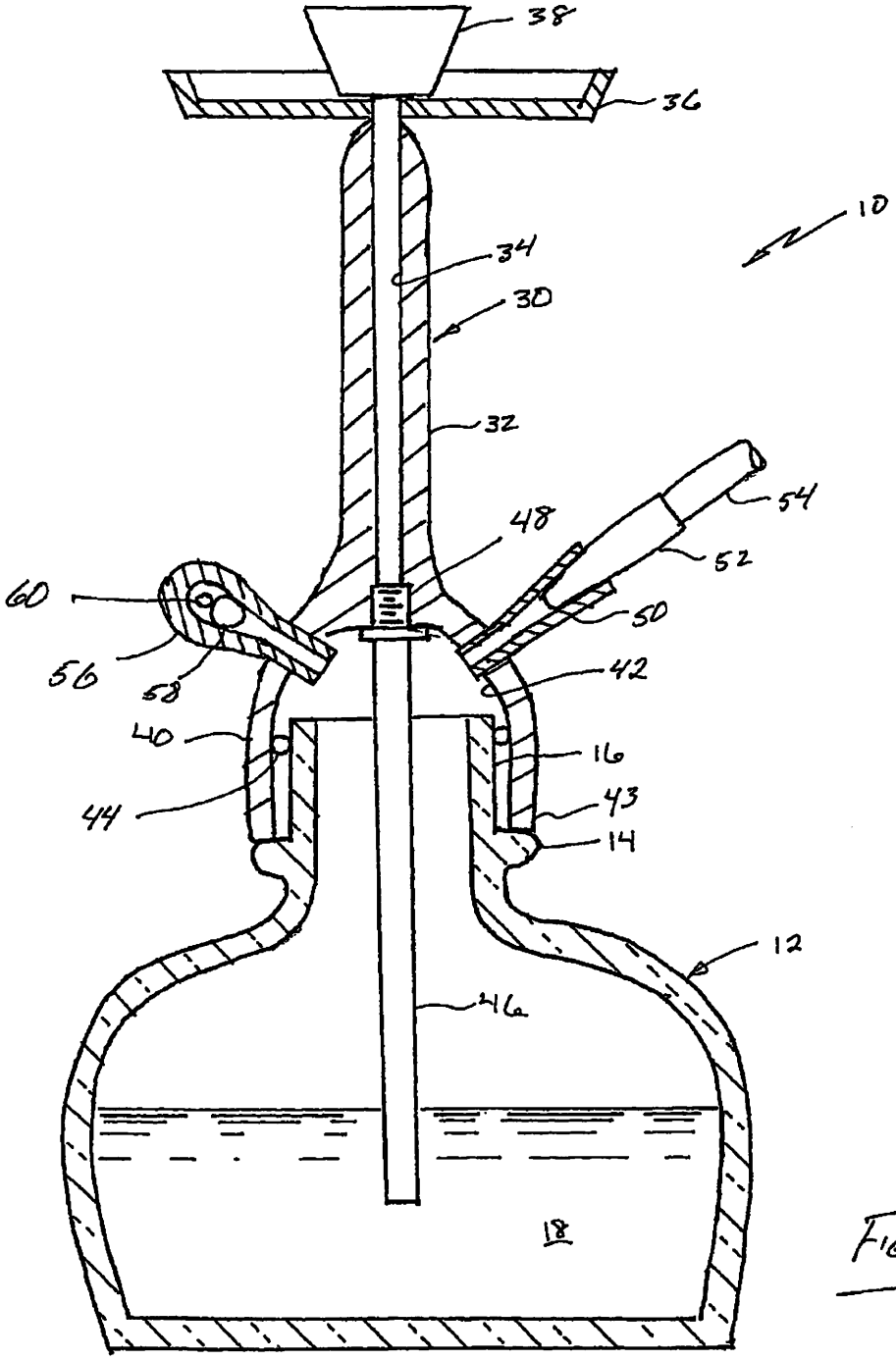


FIG. 1

SMOKING APPARATUS

BACKGROUND OF THE INVENTION

1. Field of the Invention

The invention relates to smoking apparatuses, such as a pipe, and more particularly to smoking pipes with blown-glass bases.

2. Description of the Related Art

Pipes are often used to smoke substances such as tobacco. Moisture from a fluid may be mixed with pipe smoke to ameliorate harshness and to impart a pleasant flavor or aroma to the smoke. So-called hookah pipes are one way in which smoke may be mixed with moisture.

A hookah pipe has a bottle which filled with fluid. The bottle of the hookah may be made of glass, such as crystal. A stem is mounted to the bottle. The stem includes a passage conveying smoke from a burner cup on top of the stem through a down tube projecting from the stem and into the fluid in the bottle. The stem is preferably made of metal. The smoke drawn through the stem is expelled from the down tube beneath the surface of the fluid and allowed to bubble up through the fluid to the surface, absorbing moisture as it rises to the fluid surface. The stem base defines an interior plenum into which smoke bubbling from the fluid surface collects. One or more smoking hoses are connected to the stem, in communication with the interior plenum. A user smokes the hookah by drawing smoke through the hose.

The bottle of a hubble-bubble is often made of blown glass. The stem of the hookah is mounted to a neck of the base, so the neck must be drawn out to a length and diameter commensurate with the dimensions of the metal stem and plenum during the glass blowing process. It may be difficult to control accurately the dimensions of the neck while the glass is being blown. Some of this variation of dimensions is attractive, and lends a unique, hand-crafted appearance to the base. Significant variations of dimensions can make coupling the stem to the neck with an air tight connection difficult. Typically a base of the stem is inserted or threaded into the neck of the bottle. The stem must fit inside the neck substantially tightly in order to prevent smoke from leaking. The longer the neck, the more likely the inner profile of the neck will vary from true roundness, and the less likely the stem will fit tightly.

SUMMARY OF THE INVENTION

The current invention is embodied in a smoking apparatus which includes a bottle containing a fluid, a stem coupled to the bottle, and one or more smoking tubes connected to the stem which permit users to draw smoke from a burner cup mounted to the stem, through the stem and the fluid contained within the bottle, and out of the tube.

The bottle has an upwardly-extending neck and a radially extending collar extending around the external periphery of the neck. The stem has a base and a neck extending upwardly from the base. The base defines an interior plenum having a size and shape that permits the base to be placed over the neck of the bottle with a bottom edge of the base resting on the collar.

BRIEF DESCRIPTION OF THE OF THE DRAWINGS

FIG. **1** is a smoking pipe according to the present invention shown in cross section.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

A smoking apparatus in the form of a hookah pipe indicated by reference no. **10** is shown in FIG. **1**. The pipe **10** includes a bottle **12** containing a liquid **18** and a stem **30** mounted to the top of the bottle **12**. The bottle **12** has an upper, generally cylindrical neck **16** and a radially extending peripheral shoulder **14** surrounding the neck beneath the upper end thereof. The bottle **12** may be formed from any suitable material such as glass, plastic, acrylic, ceramic, etc.

The stem **30** includes an upper neck **32** and a stem base **40**. A burner cup **38** for holding the smoking material, such as tobacco, is mounted proximate a top end of the neck **32**. Preferably a plate **36** is positioned beneath the burner cup **38** for catching ashes and other materials spilled from the burner cup **38**.

The stem base **40** forms an interior plenum **42**. The lower portion **43** of the base **40** has a shape, preferably circular, that conforms to the shape of the neck **16** of the bottle **12** and has a diameter sufficiently larger than that of the neck **16** so that the stem **30** can be operatively mounted onto the bottle **12** by merely placing the stem base **40** over the neck **16** so that the lower end **43** of the stem base **40** is seated on the collar **14** of the bottle **12**. Preferably, a sealing element, such as o-ring **44** or other suitable gasket material, is placed over the neck **16** between the neck **16** and the inner surface of the stem base **40** to provide a generally airtight seal between the stem base **40** and the neck **16**.

A passage **34** extends from the burner cup **38** through the neck **32**. A down tube **46** is secured into the neck **32**, preferably by a threaded end **48**, in alignment with the passage **34**. The down tube **46** extends from the interior plenum **42** into the bottle **12** such that it's lower-most and is beneath the surface of the liquid **18**.

A hose fitting **50** extends into the stem base **40** and is preferably threaded thereto. A smoking hose **54** has a hose nipple **52** secured at an end thereof, and the nipple **52** is secured to the hose fitting **50** by forcing its tapered end into the tapered opening of the hose fitting as shown in FIG. **1**.

The pipe **10** is smoked by a user drawing smoke through a mouthpiece (not shown) at an opposite end of the hose **54**, thereby drawing air through the burner cup **38**, through the passage **34** and down tube **46**, through the liquid **18**, up into the interior plenum **42**, and through the hose fitting **50** and hose **54**. Although not shown, the pipe **10** may include more than one hose fitting and attached hoses to permit multiple users.

Because the stem **30** is coupled to the bottle **12** by merely placing the stem base **40** over the neck **16** with o-ring **44** in place to provide a suitable seal, manufacturing tolerances of the neck **16** need not be so stringent. In addition, should the bottle **12** be broken, the stem **30** can easily be placed onto a second bottle having a neck of generally similar proportions.

A pressure release **56** extends into the stem base **40** and is preferably secured thereto by threading. The pressure release comprises a generally enclosed tab with an interior plenum including a tapered portion and a rounded end portion. A ball **58** is disposed within the interior of the pressure release **56** and a relief opening **60** is formed in the pressure release **56** into the interior portion thereof. During use of the pipe while a user is drawing smoke through the tube **54**, the relative vacuum formed in the interior plenum **42** draws the ball **58** into the tapered portion of the interior plenum of the pressure release **56**, thereby blocking any air passage through the pressure release **56**. To equalize the pressure within the interior plenum **42** of the stem **30**, the user need only blow slightly

into the tube **54**. The increased pressure created within the interior plenum **42** will cause the ball **58** to dislodge from the tapered portion thereby permitting airflow into the pressure release **56**, around the ball **58**, and out of the relief opening **60**.

While various embodiments of the present invention have been described above, they should be understood to have been presented by way of examples only, and not limitation. Thus, the breadth and scope of the present invention should not be limited by the above described embodiments.

Modifications and variations of the present invention are possible in light of the above teachings. It is therefore to be understood that the invention may be practiced otherwise than as specifically described herein.

What is claimed is:

1. A hookah system comprising:

a hookah bottle having an upper neck with a substantially flush exterior, peripheral side surface and a hookah bottle opening;

a flexible seal disposed about said substantially flush exterior, peripheral side surface; and

a hookah stem with a stem base defining an interior plenum comprising:

an interior sidewall having a substantially flush sidewall surface dimensioned to sealingly accept said flexible seal by compressing said flexible seal upon said substantially flush exterior, peripheral side surface of said neck upon placement of said stem onto said bottle neck;

an elevated wet smoke cavern above said hookah bottle opening and defined by said interior sidewall positioned above said compressed flexible seal for the direct accumulation of wet smoke from said bottle; and

a wet smoke aperture defined by said interior plenum sidewall that directly accesses said wet smoke cavern and is adapted to accept a hose fitting.

2. The system of claim **1** wherein said flexible seal is removably disposed about the periphery of said neck.

3. The system of claim **1** wherein said wet smoke cavern includes a perimeter diminishing upwardly with respect to said bottle.

4. The system of claim **3** wherein said stem further comprises multiple wet smoke outlets, and multiple hose fittings in fluid communication with said multiple wet smoke outlet such that each wet smoke outlet allows the passage of wet smoke to a single hose fitting.

5. The system of claim **4** wherein said multiple hose fittings are removable hose fittings with a threaded portion.

6. The system of claim **1** wherein said bottle further defines a peripheral shoulder dimensioned to support said hookah stem.

7. The system of claim **1** further comprising a down tube, connected to said interior sidewall, passing through said wet smoke cavern and descending into said bottle.

8. The system of claim **7** wherein said down tube is releasably connected to said interior sidewall.

9. A hookah system comprising:

a hookah bottle having an upper neck with a substantially flush exterior, peripheral side surface, an interior side surface, and a hookah bottle opening;

a flexible seal disposed about said substantially flush exterior, peripheral side surface; and

a hookah stem with a stem base defining an interior plenum comprising:

an interior plenum sidewall having a substantially flush sidewall surface dimensioned to sealingly accept said flexible seal by compressing said flexible seal upon said substantially flush exterior, peripheral side surface of said neck upon placement of said stem onto said bottle neck;

an elevated wet smoke cavern above said hookah bottle opening and defined by said interior plenum sidewall positioned above said compressed flexible seal for the direct accumulation of wet smoke from said bottle; and

a wet smoke aperture defined by said interior plenum sidewall that directly accesses said wet smoke cavern and is adapted to accept a hose fitting; and

a down tube, connected to said interior plenum sidewall, with a down tube exterior and passing through said wet smoke cavern and descending into said bottle,

wherein space between said down tube and said interior plenum sidewall and space between said down tube and said inside neck surface define a substantially annular wet smoke ascension void, extending continuously from said bottle into said wet smoke cavern, positioned to allow the uniform, direct ascension of wet smoke from said bottle to said wet smoke cavern.

10. The system of claim **9** wherein said flexible seal is removably disposed about the periphery of said neck.

11. The system of claim **9** wherein said wet smoke cavern includes a perimeter diminishing upwardly with respect to said bottle.

12. The system of claim **11** wherein said stem further comprises multiple wet smoke outlets, and multiple hose fittings in fluid communication with said multiple wet smoke outlet such that each wet smoke outlet allows the passage of wet smoke to a single hose fitting.

13. The system of claim **12** wherein said multiple hose fittings are removable hose fittings with a threaded portion.

14. The system of claim **9** wherein said bottle further defines a peripheral shoulder dimensioned to support said hookah stem.

* * * * *

EXHIBIT H

US007806123B2

(12) **United States Patent**
Mehio

(10) **Patent No.: US 7,806,123 B2**
(45) **Date of Patent: Oct. 5, 2010**

(54) **MODULAR SMOKING APPARATUS**

(75) Inventor: **Nizar Youssef Mehio**, Tallet El Khayet (LB)

(73) Assignee: **Mya Saray, LLC**, Sterling, VA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1817 days.

(21) Appl. No.: **10/751,119**

(22) Filed: **Jan. 5, 2004**

(65) **Prior Publication Data**

US 2004/0163658 A1 Aug. 26, 2004

(30) **Foreign Application Priority Data**

Jan. 31, 2003 (LB) 6657

(51) **Int. Cl.**
A24F 1/14 (2006.01)
A24F 1/30 (2006.01)

(52) **U.S. Cl.** **131/173**; 131/221; 131/229; 131/201; 131/207

(58) **Field of Classification Search** 131/173
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

722,405 A * 3/1903 Ganim 131/173
1,513,147 A * 10/1924 Zahariadis 131/173
1,579,703 A * 4/1926 Grant 131/173
3,451,785 A * 6/1969 Marwil et al. 422/113
3,872,872 A * 3/1975 Kahler 131/173

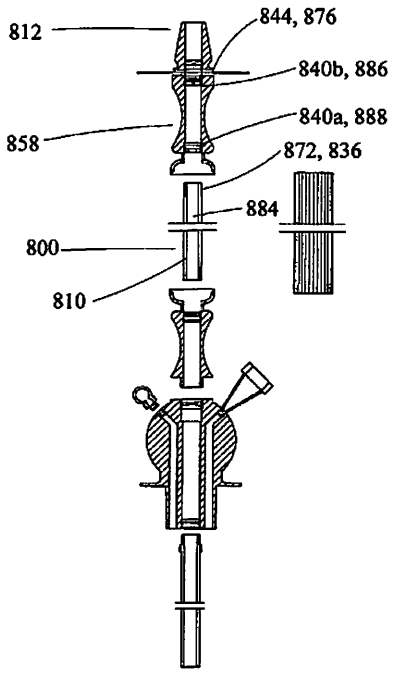
* cited by examiner

Primary Examiner—Philip C Tucker
Assistant Examiner—Phu H Nguyen
(74) *Attorney, Agent, or Firm*—General Counsel, P.C.

(57) **ABSTRACT**

A modular smoking apparatus includes a plenum having a substantially vertical dry smoke aperture and a wet smoke aperture disposed substantially parallel to the dry smoke aperture. An upper end of a down tube may be inserted into a lower end of the dry smoke aperture and a lower end of an intermediate tube may be inserted into an upper end of the dry smoke aperture. An upper end of the intermediate tube may be inserted into a the lower end of a burner. A lower end of the plenum may be inserted into an upper end of the base. The base may contain a fluid submerging a lower end of the down tube. The intermediate tube, the dry smoke aperture, and the down tube may form a conduit for dry smoke from the burner to the base, and the wet smoke aperture may form a conduit for wet smoke from the base to a hose.

8 Claims, 5 Drawing Sheets



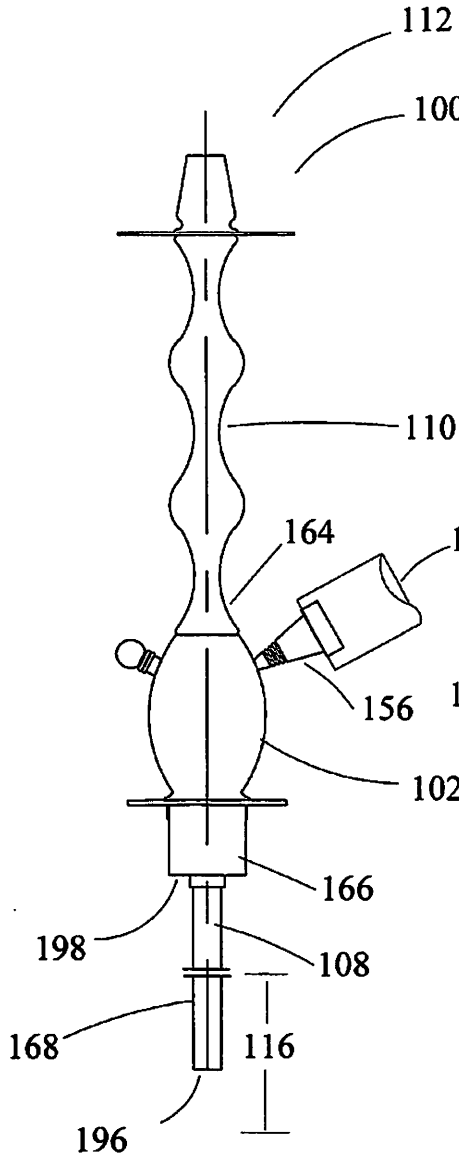

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FIG. 1

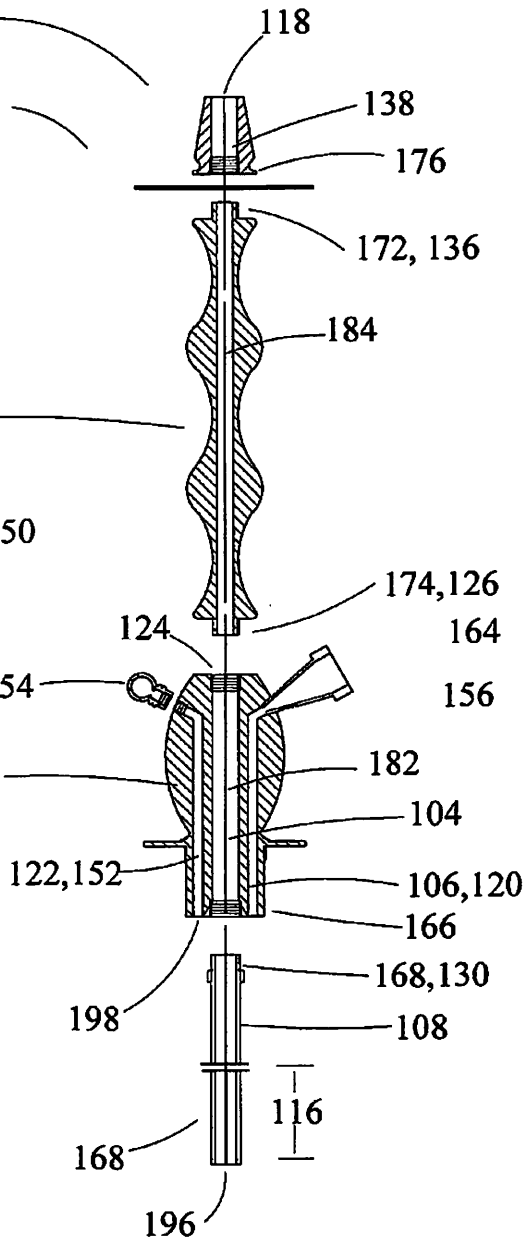
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FIG. 2

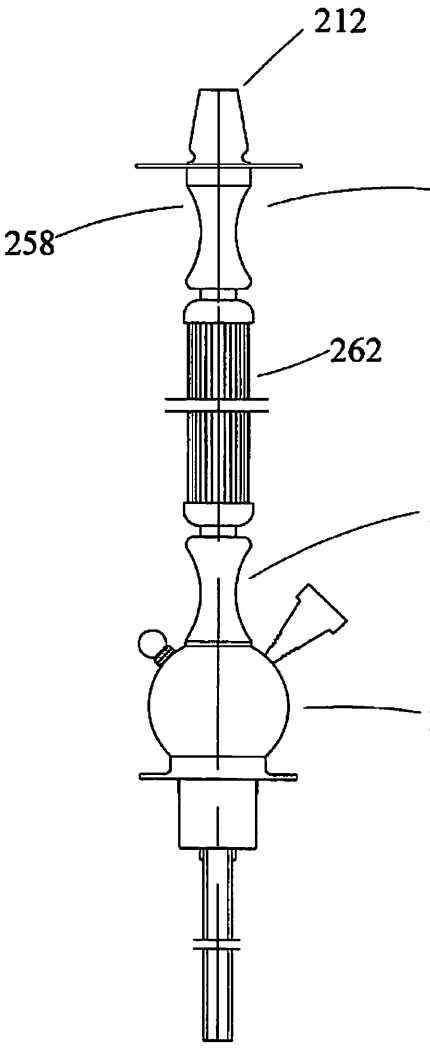
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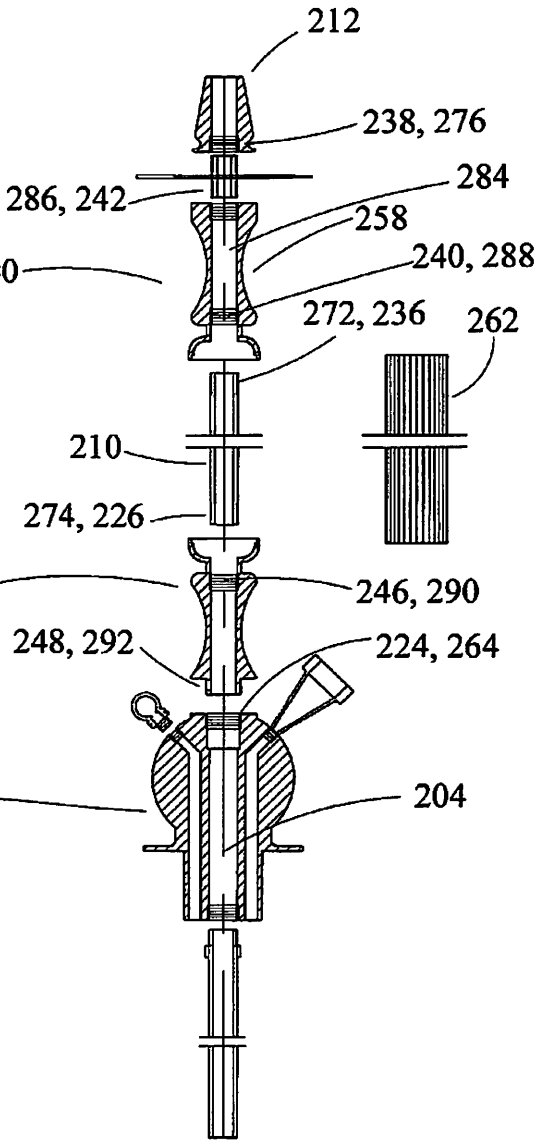
FIG. 3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238, 276
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240, 288
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274, 226
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246, 290
248, 292
224, 264
202
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FIG. 4

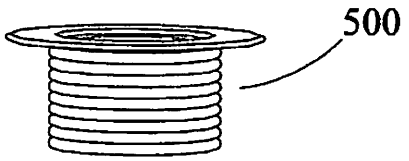

FIG. 5

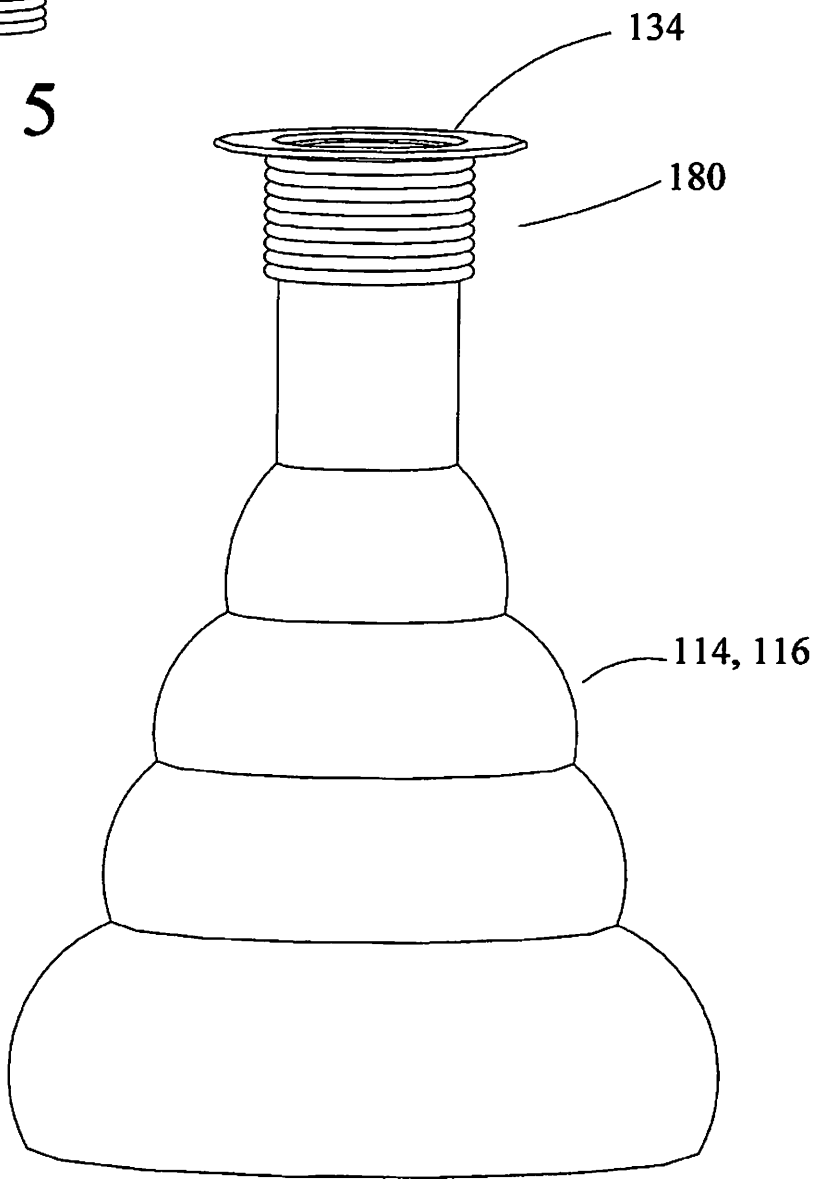

FIG. 6

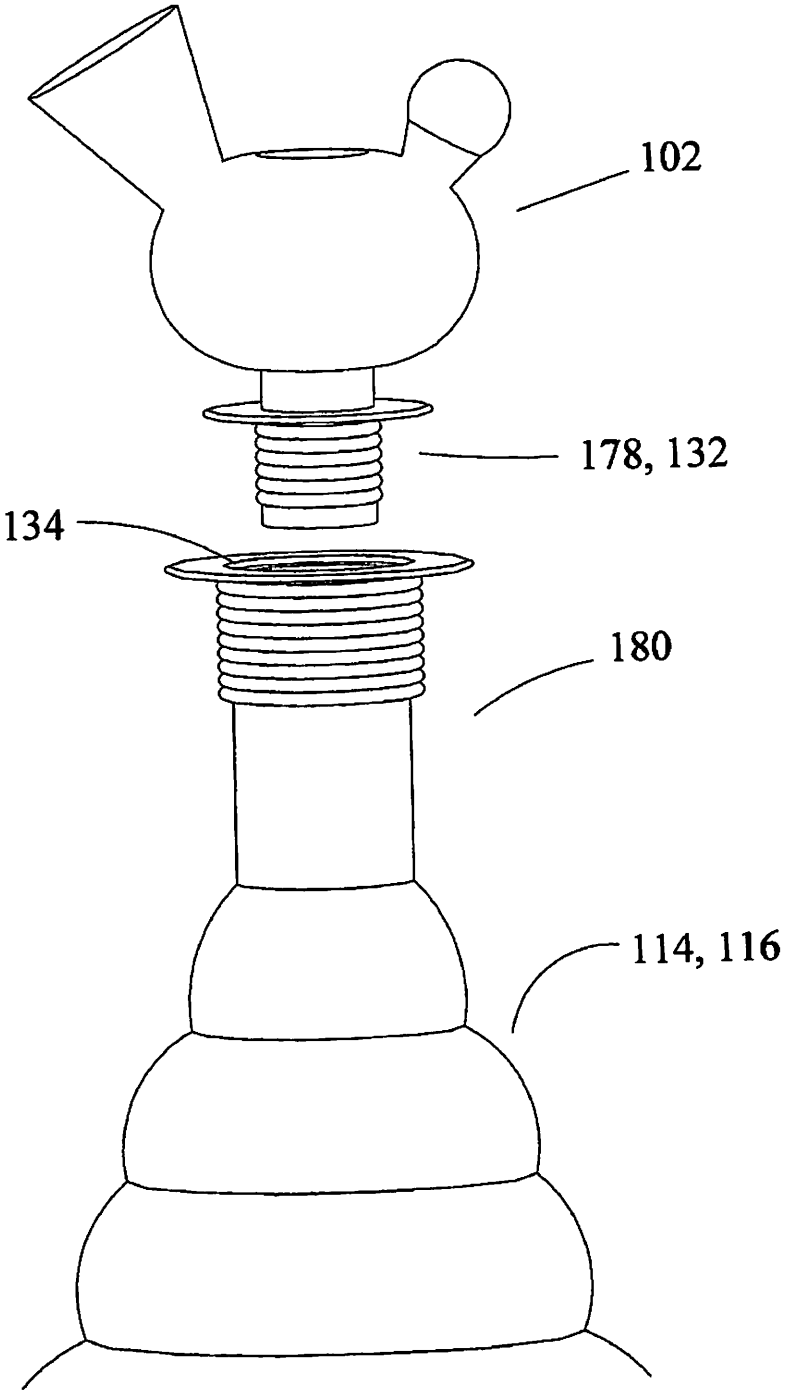

FIG. 7

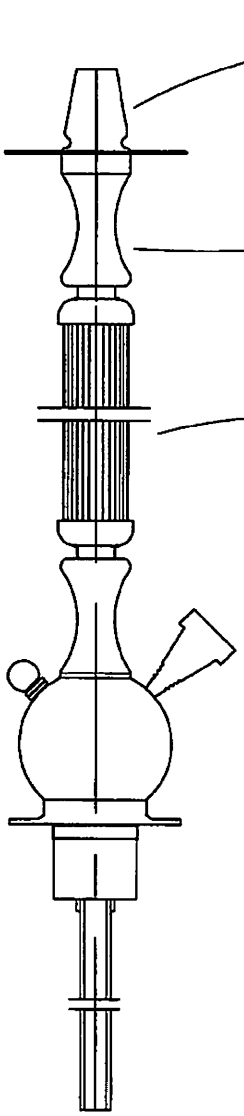

FIG. 8

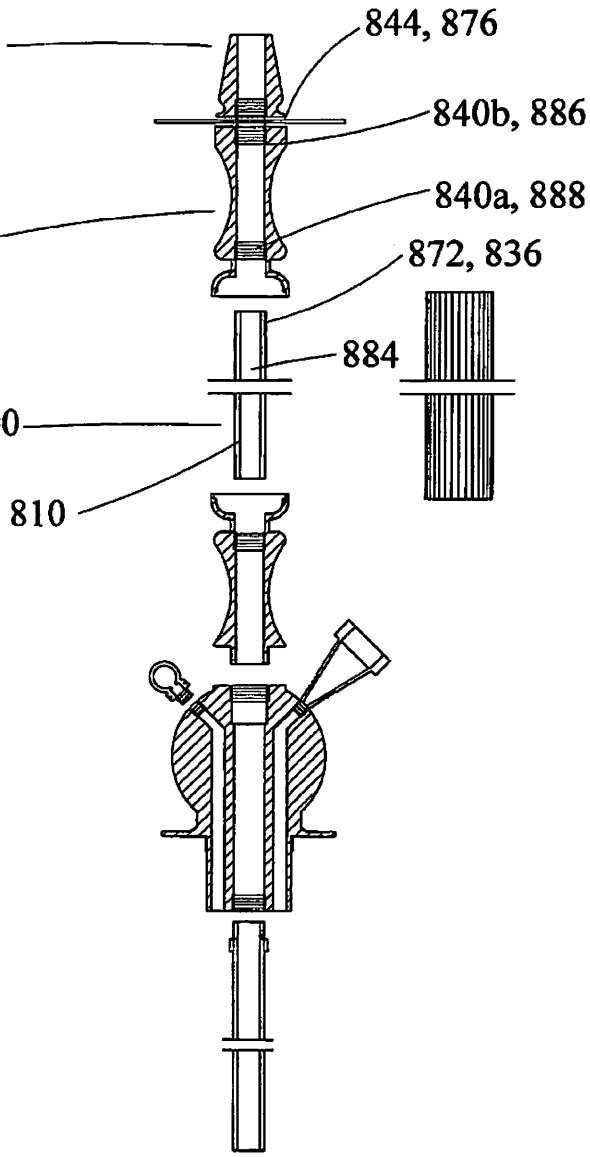

FIG. 9

MODULAR SMOKING APPARATUS

BACKGROUND OF THE INVENTION

1. Field of the Invention

The invention relates to smoking, such as by smoking a pipe, and more particularly to smoking pipes that may be dismantled for repair, replacement, and maintenance.

2. Description of the Related Art

Pipes are often used to smoke substances such as tobacco. Moisture from a fluid may be mixed with pipe smoke to ameliorate harshness and to impart a pleasant flavor or aroma to the smoke. So-called Hubble-Bubble or hookah pipes are one way in which smoke may be mixed with moisture.

A hookah has a bowl or base which is filled with fluid. The base has an opening at the top fitted for a plenum, which is part of a stem. The stem may be a tube conveying smoke from a burner on top to a passage through the plenum, and then through a tube at the bottom of the plenum in to the fluid filling the base. The smoke is let out underneath the surface of the fluid and allowed to bubble up through the fluid to the surface, absorbing moisture as it does. A second passage through the plenum the plenum conveys the now-moistened smoke out of the base to a hose. A smoker smokes the hookah by drawing smoke through the hose.

The base of a hookah may be made of glass, such as crystal. The plenum and stemp stem may be made of metal. There may be an interference fit between the plenum and the base to retain the plenum in the base. A smoker who wishes to move the hookah may grasp the stem and pick up the hookah. An interference fit between the metal and glass may be inadequate to support the weight of the base, particularly if the base is relatively full of fluid. The base may consequently fall off while the hookah is being carried, possibly sustaining damage.

Stems are often formed of one piece. Since a stem may be relatively long, a one-piece stem may be difficult to clean. The down tube, which runs downward from the plenum to the fluid, may become fouled relatively quickly, since the down tube is in a hot, corrosive, acidic environment formed by the smoke mixing with the fluid in the base. The down tube may be so fouled as to be corroded or occluded. A stem with a corroded or occluded down tube may be difficult to smoke. The entire stem may have to be thrown away when the down tube has become corroded or occluded.

Stems formed of more than one piece may be fitted together with inference fits as well. The interference fits may be secured by wrapping the male component with cloth or masking tape before insertion in the female part. Cloth or masking tape may degrade relatively quickly, however, in the smoky environment.

SUMMARY OF THE INVENTION

A primary object of the invention is to overcome the deficiencies of the related art described above by providing a modular smoking apparatus and a method for using the same. The present invention achieves these objects and others by providing a modular smoking apparatus and a method for using the same.

In a first aspect, a modular smoking apparatus includes a plenum having a substantially vertical dry smoke aperture and a wet smoke aperture disposed substantially parallel to the dry smoke aperture, a down tube having an upper end disposed insertably in a lower end of the dry smoke aperture, an intermediate tube having a lower end disposed insertably in an upper end of the dry smoke aperture, a burner having a lower end, an upper end of the intermediate tube disposed insertably in the lower end of the burner, a base having an upper end, a lower end of the plenum disposed threadably in the upper end of the base, the base containing a fluid, a lower end of the down tube submerged substantially in the fluid, the intermediate tube, the dry smoke aperture, and the down tube forming a conduit for dry smoke from the burner to the base, and the wet smoke aperture forming a conduit for wet smoke from the base to a hose.

In a second aspect, a method for using a modular smoking apparatus includes providing a plenum having a substantially vertical dry smoke aperture and a wet smoke aperture disposed substantially parallel to the dry smoke aperture, inserting an upper end of a down tube into a lower end of the dry smoke aperture, inserting a lower end of an intermediate tube into an upper end of the dry smoke aperture, inserting an upper end of the intermediate tube into a lower end of a burner, filling a base with a fluid, submerging substantially a lower end of the down tube in the fluid, screwing a lower end of the plenum into an upper end of the base, attaching a hose to an upper end of the wet smoke aperture, conducting substantially dry smoke from the burner through the intermediate tube, the dry smoke aperture, and the down tube to the fluid, and conducting substantially wet smoke from the base through the wet smoke aperture to the hose.

In a third aspect, a method for using a modular smoking apparatus may include providing a plenum having a substantially vertical dry smoke aperture and a wet smoke aperture disposed substantially parallel to the dry smoke aperture, inserting an upper end of a down tube into a lower end of the dry smoke aperture, inserting a lower end of a lower cap into an upper end of the dry smoke aperture, inserting a lower end of an intermediate tube into an upper end of the lower cap, inserting an upper end of the intermediate tube into a lower end of an upper cap, inserting an upper end of the upper cap into a lower end of a burner, filling a base with a fluid, submerging substantially a lower end of the down tube in the fluid, screwing a lower end of the plenum into an upper end of the base, attaching a hose to an upper end of the wet smoke aperture, conducting substantially dry smoke from the burner through the intermediate tube, the dry smoke aperture, and the down tube to the fluid, and conducting substantially wet smoke from the base through the wet smoke aperture to the hose.

In a fourth aspect, a system for modular smoking includes a plenum having a substantially vertical dry smoke aperture and a wet smoke aperture disposed substantially parallel to the dry smoke aperture, means for inserting an upper end of a down tube into a lower end of the dry smoke aperture, means for inserting a lower end of an intermediate tube into an upper end of the dry smoke aperture, means for inserting an upper end of the intermediate tube into a lower end of a burner, means for filling a base with a fluid, means for submerging substantially a lower end of the down tube in the fluid, means for screwing a lower end of the plenum into an upper end of the base, means for attaching a hose to an upper end of the wet smoke aperture, means for conducting substantially dry smoke from the burner through the intermediate tube, the dry smoke aperture, and the down tube to the fluid, and means for conducting substantially wet smoke from the base through the wet smoke aperture to the hose.

The above and other features and advantages of the present invention, as well as the structure and operation of various

embodiments of the present invention, are described in detail below with reference to the accompanying drawings.

BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWINGS

The accompanying drawings, which are incorporated herein and form part of the specification, illustrate various embodiments of the present invention and, together with the description, further serve to explain the principles of the invention and to enable a person skilled in the pertinent art to make and use the invention. In the drawings, like reference numbers indicate identical or functionally similar elements. A more complete appreciation of the invention and many of the attendant advantages thereof will be readily obtained as the same becomes better understood by reference to the following detailed description when considered in connection with the accompanying drawings, wherein:

FIG. **1** shows a plan view of a modular smoking apparatus according to a first embodiment of the invention;

FIG. **2** shows an exploded, cut-away view of the embodiment shown in FIG. **1**;

FIG. **3** shows a plan view of a modular smoking apparatus according to a second embodiment of the invention;

FIG. **4** shows an exploded, cut-away view of the embodiment shown in FIG. **3**;

FIG. **5** shows a sleeve for use with an embodiment of the invention;

FIG. **6** shows a base for use with an embodiment of the invention;

FIG. **7** shows a base and a plenum for use with an embodiment of the invention being assembled;

FIG. **8** shows a plan view of a modular smoking apparatus according to a fifth embodiment of the invention; and

FIG. **9** shows an exploded, cut-away view of the embodiment shown in FIG. **8**;

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

Since a base may fall off a stem while a hookah is being carried by the stem, it would be desirable if the base could fastened securely to the stem. Since a one-piece stem may be difficult to clean, it would be desirable for the stem to be formed of several individual components. Since the down tube of a stem may become corroded or occluded by the atmosphere in the base, it would be desirable for the down tube to be replaceable.

FIGS. **1** and **2** show a modular smoking apparatus **100** according to a first embodiment of the invention. Modular smoking apparatus **100** may include a plenum **102**. Plenum **102** may have a substantially vertical dry smoke aperture **104** and a wet smoke aperture **106** disposed substantially parallel to dry smoke aperture **104**.

An upper end **168** of a down tube **108** may be inserted in a lower end **166** of dry smoke aperture **104**. In one embodiment, a lower internal dry smoke aperture thread **128** may be disposed substantially helically within lower end **166** of dry smoke aperture **104** about an axis **182** of dry smoke aperture **104**, while an external down tube thread **130** is disposed substantially helically around upper end **168** of down tube **108** about axis **182**. In this embodiment, external down tube thread **130** may be disposed threadably in lower internal dry smoke aperture thread **128**.

A lower end **174** of an intermediate tube **110** may be inserted in an upper end **164** of dry smoke aperture **104**. In one embodiment, an upper internal dry smoke aperture thread **124** may be disposed substantially helically within upper end **164** of dry smoke aperture **104** about an axis **182** of dry smoke aperture **104**, while a lower external intermediate tube thread **126** is disposed substantially helically around lower end **174** of intermediate tube **110** about axis **182**. In this embodiment, lower external intermediate tube thread **126** may be disposed threadably in upper internal dry smoke aperture thread **124**.

Modular smoking apparatus **100** may also include a burner **112** having a lower end **176** into which an upper end **172** of intermediate tube **110** may be inserted. In one embodiment, an upper external intermediate tube thread **136** may be disposed substantially helically around an upper end **172** of intermediate tube **110** about an axis **184** of intermediate tube **110**, while an internal burner thread **138** is disposed substantially helically within lower end **176** of burner **112** about axis **184**. In this embodiment, upper external intermediate tube thread **136** may be disposed threadably in internal burner thread **138**.

In one embodiment, axes **182** and **184** are co-axial. In another embodiment, axes **182** and **184** are skewed relative to each other. This may be the case if modular smoking apparatus **100** is curved. Furthermore, intermediate tube **110** itself may be curved, and axis **184** may be an axis local to lower end **176** or upper end **172**. In one embodiment, burner **112**, intermediate tube **110**, and plenum **102** comprise a stem.

Modular smoking apparatus **100** may also include a base **114** such as that shown in FIG. **6**. Base **114** may have an upper end **180** into which a lower end **178** of plenum **102** may be inserted, as shown in FIG. **7**. In one embodiment, lower end **178** is threaded into upper end **180**. In this embodiment, an external plenum thread **132** may be disposed substantially helically around lower end of plenum **102** about an axis **182** of dry smoke aperture **104**, while an upper internal base thread **134** is disposed substantially helically within upper end **180** of base **114** about axis **182**. In this embodiment, external plenum thread **132** may be disposed threadably in upper internal base thread **134**.

In one embodiment, upper internal base thread **134** may be disposed substantially helically within a sleeve **500** such as that shown in FIG. **5**. Sleeve **500** may be comprised of a metal similar to or compatible with that of external plenum thread **132**. Sleeve **500** may be adhered to upper end **180** of base **114** with an adhesive.

In another embodiment, sleeve **500** may be a drawn or spun metal cylinder conforming substantially to upper internal base thread **134**. In this embodiment, sleeve **500** may be threaded into upper internal base thread **134**.

In several embodiments, base **114** may be made of a material selected from the group consisting of acrylic, glass, Formica, quartz, plastic, and crystal. Base **114** may contain a fluid **116**, such as an ethyl-alcohol-based fluid, such as those that may be derived by fermentation or distillation of fruit, grain, or vegetables, or a flavored water such as rose water. In one embodiment, base **114** holds enough fluid **116** to submerge substantially a lower end **168** of down tube **108** when plenum **102** is inserted into base **114**.

In one embodiment, intermediate tube **110**, dry smoke aperture **104**, and down tube **108** form a conduit **118** through which dry smoke **196** may travel from burner **112** to base **114**. If lower end **168** of down tube **108** is submerged in fluid **116**, dry smoke **196** may absorb moisture from fluid **116** after leaving lower end **168** and become substantially wet smoke **198** as it bubbles to a surface of fluid **116**. In one embodiment, wet smoke aperture **106** forms a conduit **120** through which wet smoke **198** may travel from base **114** to a hose **150**, after picking up moisture from fluid **116**.

In one embodiment, a pressure relief aperture **152** may be disposed in plenum **102** substantially parallel to dry smoke aperture **104** and wet smoke aperture **106**. In this embodiment, pressure relief aperture **152** may form a second conduit **122** for wet smoke **198** from base **114** to a pressure relief valve **154**.

In one embodiment, modular smoking apparatus **100** may include a fitting **156** for a hose **150** disposed substantially communicably at an end of wet smoke aperture **106**. In this embodiment, fitting **156** may attach hose **150** to plenum **102**.

In FIGS. **3** and **4** is shown a modular smoking apparatus **200** according to a second embodiment of the invention. Modular smoking apparatus **200** may include an upper cap **258** placed on an upper end **272** of an intermediate tube **210**, between upper end **272** and a burner **212**. In one embodiment, upper cap **258** may have an internal upper cap thread **240** disposed substantially helically within a lower end **288** of upper cap **258** about an axis **284** of intermediate tube **210**, while an upper external intermediate tube thread **236** is disposed substantially helically around an upper end **272** of intermediate tube **210** about axis **284**. In this embodiment, upper external intermediate tube thread **236** may be disposed threadably in internal upper cap thread **240**.

In one embodiment, an internal burner thread **238** may be disposed substantially helically within a lower end **276** of burner **212** about axis **284** while an external upper cap thread **242** is disposed substantially helically around an upper end **286** of upper cap **258** about axis **284**. In this embodiment, external upper cap thread **242** may be disposed threadably in internal burner thread **238**.

Modular smoking apparatus **200** may also include a lower cap **260** placed on a lower end **274** of intermediate tube **210**, between lower end **274** and a plenum **202**. In one embodiment, lower cap **260** may have an internal lower cap thread **246** disposed substantially helically within an upper end **290** of lower cap **260** about axis **284** of intermediate tube **210**, while a lower external intermediate tube thread **226** is disposed substantially helically around lower end **274** of intermediate tube **210** about axis **284**. In this embodiment, lower external intermediate tube thread **226** may be disposed threadably in internal lower cap thread **246**.

In one embodiment, lower cap **260** may have an external lower cap thread **248** disposed substantially helically around a lower end **292** of lower cap **260** about axis **284**, while an upper internal dry smoke aperture thread **224** is disposed substantially helically within an upper end **264** of dry smoke aperture **204** about axis **284**. In this embodiment, external lower cap thread **248** may be disposed threadably in upper internal dry smoke aperture thread **224**.

In one embodiment, burner **212**, upper cap **258**, intermediate tube **210**, lower cap **260**, and plenum **202** comprise a stemp.

In a third embodiment, also shown in FIGS. **3** and **4**, modular smoking apparatus **200** may include a cover **262** disposed substantially co-axially with axis **284** of intermediate tube **210** around intermediate tube **210**. In this embodiment, burner **212**, intermediate tube **210**, cover **262**, and plenum **202** comprise a stem.

In a third embodiment, a method for using a modular smoking apparatus may include the steps of providing plenum **102** having substantially vertical dry smoke aperture **104** and wet smoke aperture **106** disposed substantially parallel to dry smoke aperture **104**, inserting upper end **168** of down tube **108** into lower end **166** of dry smoke aperture **104**, inserting lower end **174** of intermediate tube **110** into upper end **164** of dry smoke aperture **104**, inserting upper end **172** of intermediate tube **110** into lower end **176** of burner **112**, filling base **114** with fluid **116**, submerging substantially lower end **170** of down tube **108** in fluid **116**, screwing lower end **178** of plenum **102** into upper end **180** of base **114**, attaching hose **150** to upper end **194** of wet smoke aperture **106**, conducting substantially dry smoke **196** from burner **112** through intermediate tube **110**, dry smoke aperture **104**, and down tube **108** to fluid **116**, and conducting substantially wet smoke **198** from base **114** through wet smoke aperture **106** to hose **150**.

In one embodiment, upper end **168** of down tube **108** may be inserted into lower end **166** of dry smoke aperture **104** by screwing. In one embodiment, lower end **174** of intermediate tube **110** may be inserted into upper end **164** of dry smoke aperture **104** by screwing. In one embodiment, upper end **172** of intermediate tube **110** may be inserted into lower end **176** of a burner **112** by screwing.

In a fourth embodiment, a method for using a modular smoking apparatus may include the steps of providing plenum **202** having substantially vertical dry smoke aperture **204** and wet smoke aperture **206** disposed substantially parallel to dry smoke aperture **204**, inserting upper end **268** of down tube **208** into lower end **266** of dry smoke aperture **204**, inserting lower end **292** of lower cap **260** into upper end **264** of dry smoke aperture **204**, inserting lower end **274** of intermediate tube **210** into upper end **290** of lower cap **260**, inserting upper end **272** of intermediate tube **210** into lower end **288** of upper cap **258**, inserting upper end **286** of upper cap **258** into lower end **276** of a burner **212**, filling a base **214** with a fluid **216**, submerging substantially a lower end **270** of down tube **208** in fluid **216**, screwing a lower end **278** of plenum **202** into an upper end **280** of base **214**, attaching a hose **250** to an upper end **294** of wet smoke aperture **206**, conducting substantially dry smoke **296** from burner **212** through intermediate tube **210**, dry smoke aperture **204**, and down tube **208** to fluid **216**, and conducting substantially wet smoke **298** from base **214** through wet smoke aperture **206** to hose **250**.

In one embodiment, lower end **292** of lower cap **260** may be inserted into upper end **264** of dry smoke aperture **204** by screwing. In one embodiment, lower end **274** of intermediate tube **210** may be inserted into upper end **290** of lower cap **260** by screwing. In one embodiment, upper end **272** of intermediate tube **210** may be inserted into lower end **288** of upper cap **258** by screwing. In one embodiment, upper end **286** of upper cap **258** may be inserted into lower end **276** of a burner **212** by screwing.

In FIGS. **8** and **9** is shown a modular smoking apparatus **800** according to a fifth embodiment of the invention. Modular smoking apparatus **800** may include an upper cap **858** placed on an upper end **872** of an intermediate tube **810**, between upper end **872** and a burner **812**. In one embodiment, a first internal upper cap thread **840***a* may be disposed substantially helically within a lower end **888** of upper cap **858** about an axis **884** of intermediate tube **810**, while an upper external intermediate tube thread **836** is disposed substantially helically around upper end **872** of intermediate tube **810** about axis **884**. In this embodiment, upper external intermediate tube thread **836** may be disposed threadably in first internal upper cap thread **840***a*.

In one embodiment, a second internal upper cap thread **840***b* may be disposed substantially helically within an upper end **886** of upper cap **858** about axis **884**, while an external burner thread **844** is disposed substantially helically around a lower end **876** of burner **812** about axis **884**. In this embodiment, external burner thread **844** may be disposed threadably in second internal upper cap thread **840***b*.

The foregoing has described the principles, embodiments, and modes of operation of the present invention. However, the invention should not be construed as being limited to the

particular embodiments described above, as they should be regarded as being illustrative and not restrictive. It should be appreciated that variations may be made in those embodiments by those skilled in the art without departing from the scope of the present invention.

While various embodiments of the present invention have been described above, they should be understood to have been presented by way of examples only, and not limitation. Thus, the breadth and scope of the present invention should not be limited by the above described embodiments.

Obviously, numerous modifications and variations of the present invention are possible in light of the above teachings. It is therefore to be understood that the invention may be practiced otherwise than as specifically described herein.

What is claimed is:

1. A modular hookah comprising:

a base, dimensioned to contain a substantial amount of fluid, with an internally threaded upper end for receiving dry smoke; and

a stem, with an intermediate tube, having an upper end and a lower end, defining a dry smoke aperture; and

a plenum further defining said dry smoke aperture and defining a wet smoke aperture oriented to accept wet smoke from said base, said plenum having an upper end adapted to removably fasten to said lower end of said intermediate tube and an externally threaded lower end configured to mate with said threaded upper end of said base, and

wherein said stem terminates in a selectively releasable peripheral down tube, defining said dry smoke aperture and dimensioned to substantially penetrate said base, and with an upper end adapted to removably fasten to said plenum.

2. The modular hookah of claim 1 further comprising an intermediate tube upper cap in releasable attachment to both said intermediate tube and a burner.

3. The modular hookah of claim 2 further comprising an intermediate tube lower cap in releasable attachment to both said intermediate tube and said plenum.

4. The modular hookah of claim 3 further comprising an intermediate tube cover dimensioned to house said intermediate tube.

5. The modular hookah of claim 1 wherein said intermediate tube is adapted to threadably fasten to said plenum and said plenum is adapted to threadably fasten with both said down tube and said base.

6. The modular hookah of claim 5 further comprising a burner adapted to removably fasten to said intermediate tube.

7. The modular hookah of claim 6 wherein said burner is adapted to threadably fasten to said intermediate tube.

8. A modular hookah comprising:

a base, dimensioned to contain a substantial amount of fluid, with a threaded upper end for receiving dry smoke; and

a stem, having a threaded lower end configured to mate with said threaded upper end of said base, terminating in a selectively releasable peripheral down tube dimensioned to substantially penetrate said base, said stem defining a dry smoke aperture oriented to conduct dry smoke into said base and a wet smoke aperture oriented to accept wet smoke from said base, and

wherein said stem further defines a pressure release aperture selectively obstructed by a pressure release valve, and

wherein said pressure release valve includes a threaded connection for releasably affixing to said stem.

* * * * *

EXHIBIT I

(12) **United States Patent**
Mehio

(10) **Patent No.: US 8,573,229 B2**
(45) **Date of Patent: *Nov. 5, 2013**

(54) **MULTIPLE PORT, PRESSURE-RESPONSIVE ADJUSTABLE HOOKAH**

(75) Inventor: **Nizar Youssef Mehio**, Telet El Khayet (LB)

(73) Assignee: **Mya Saray, LLC**, Sterling, VA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1140 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **12/489,114**

(22) Filed: **Jun. 22, 2009**

(65) **Prior Publication Data**

US 2009/0301502 A1 Dec. 10, 2009

Related U.S. Application Data

(63) Continuation of application No. 11/201,274, filed on Aug. 11, 2005, now abandoned.

(51) **Int. Cl.**
A24F 1/14 (2006.01)
A24F 1/30 (2006.01)

(52) **U.S. Cl.**
USPC **131/173**; 131/201; 131/207; 131/331; 131/512

(58) **Field of Classification Search**
None
See application file for complete search history.

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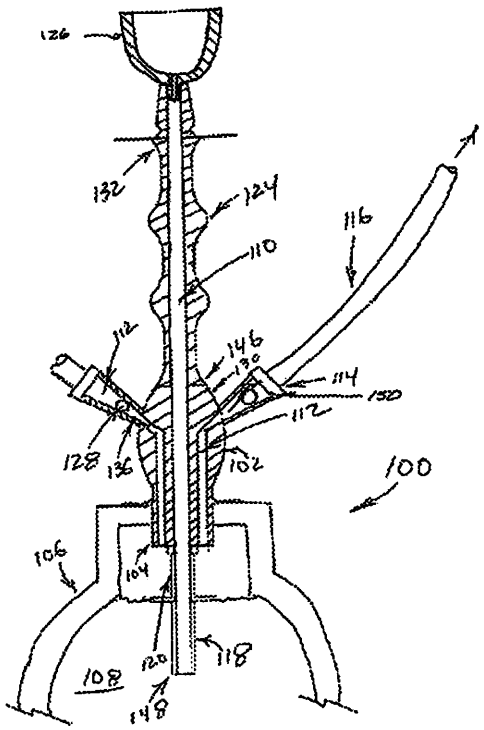
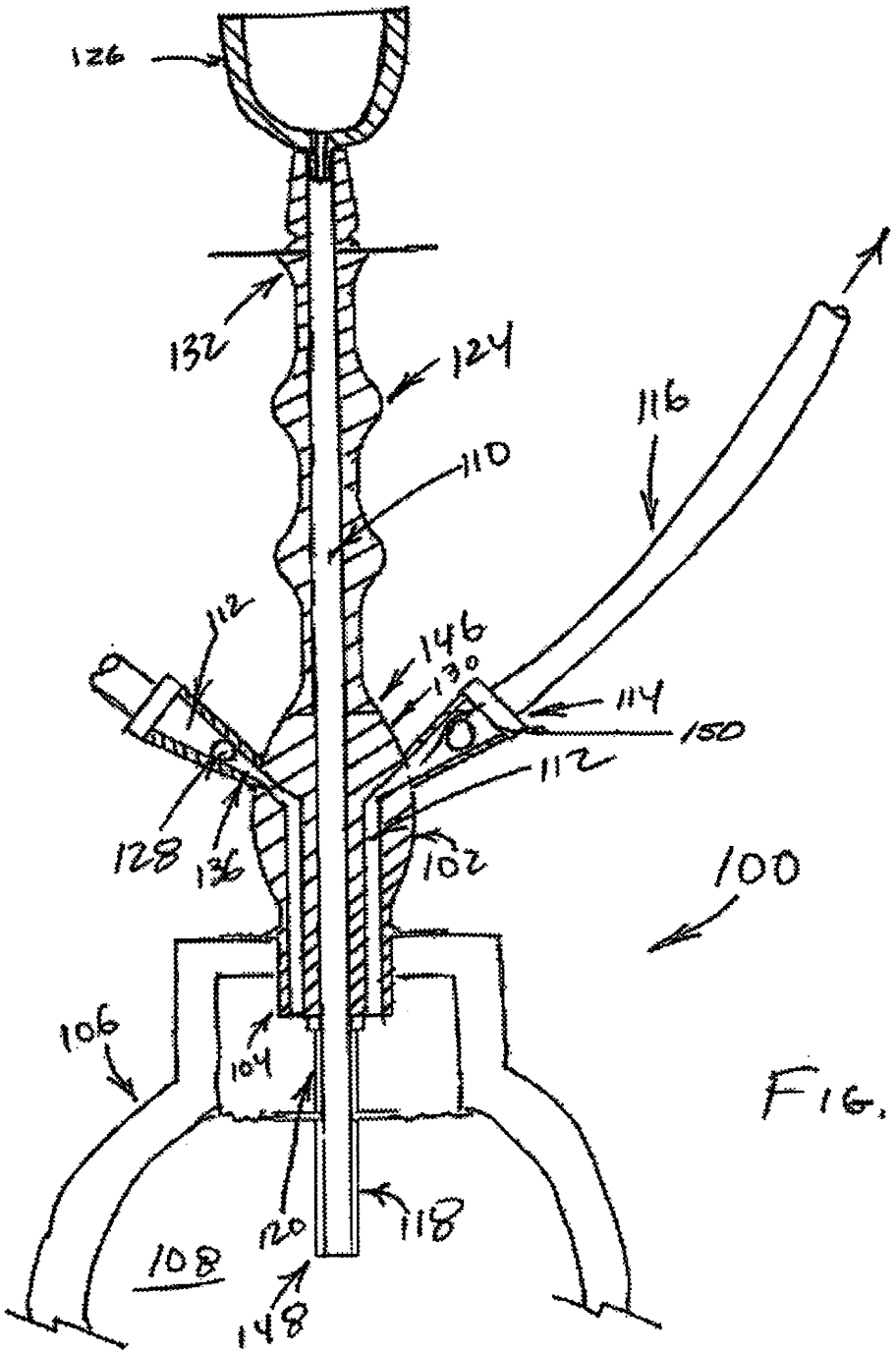
Primary Examiner — Richard Crispino
Assistant Examiner — Phu Nguyen
(74) *Attorney, Agent, or Firm* — Da Vinci's Notebook, LLC

(57) **ABSTRACT**

A smoking apparatus includes a stem having a base at a lower end thereof coupled to a bottle containing a fluid and a neck extending upwardly from the base. A central passage extends through the stem from a burner cup disposed atop the neck to the interior of the cup. Smoking hoses are connected to the stem to permit users to draw smoke from the burner cup, through the central passage, through the water, and out of the hose. The hoses are connected to the stem by one-way fittings which permit air to be drawn out of the bottle and into the hose, but prevent air from being drawn through the hose and into the bottle.

4 Claims, 5 Drawing Sheets

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132
124
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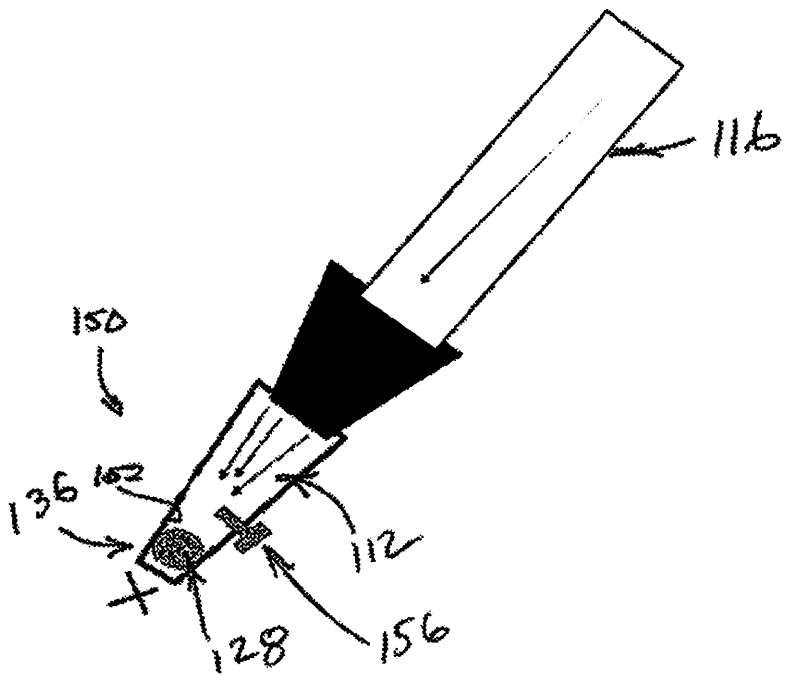
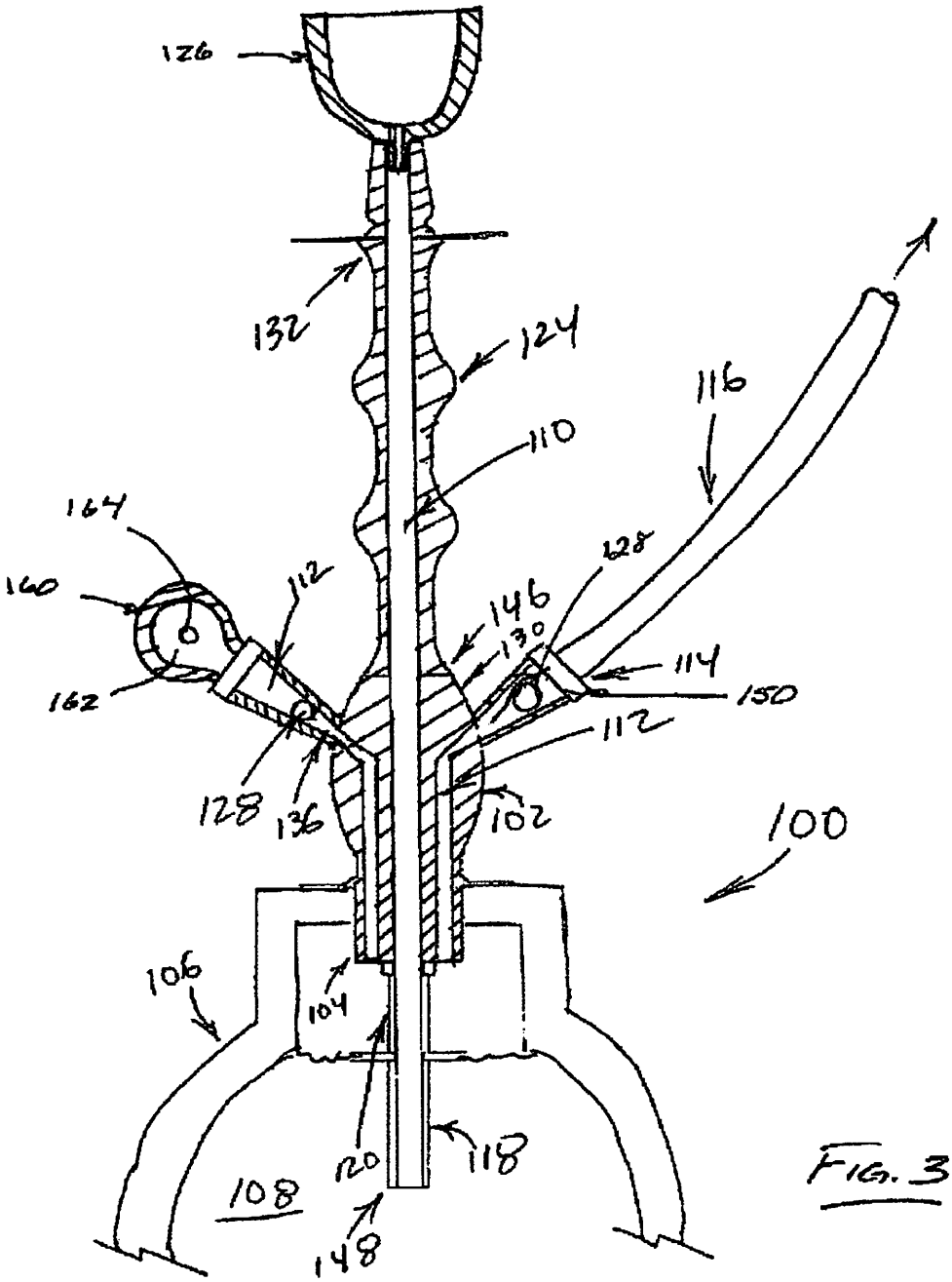
FIG. 1

FIG. 2

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118
108
148

FIG. 3

FIG. 4A

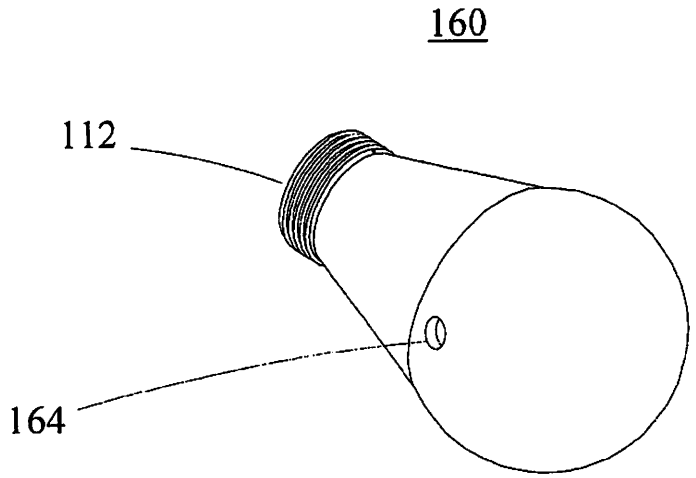


FIG. 4B

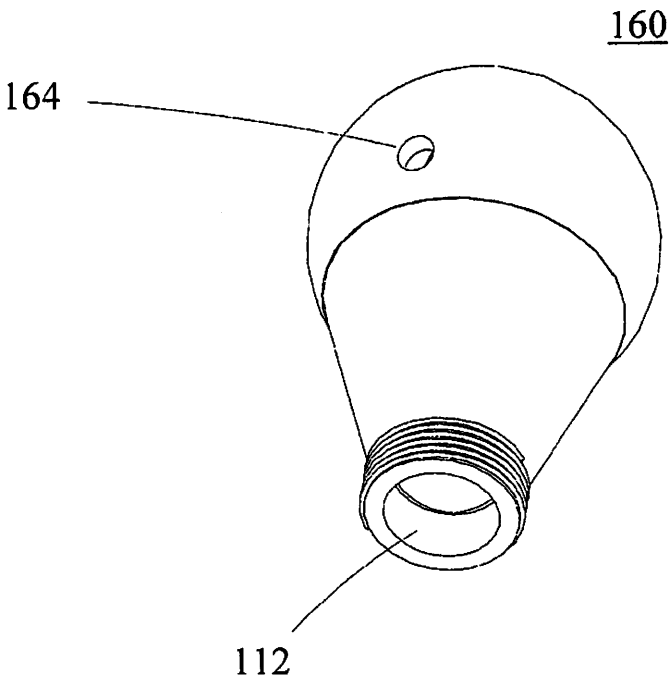


FIG. 5

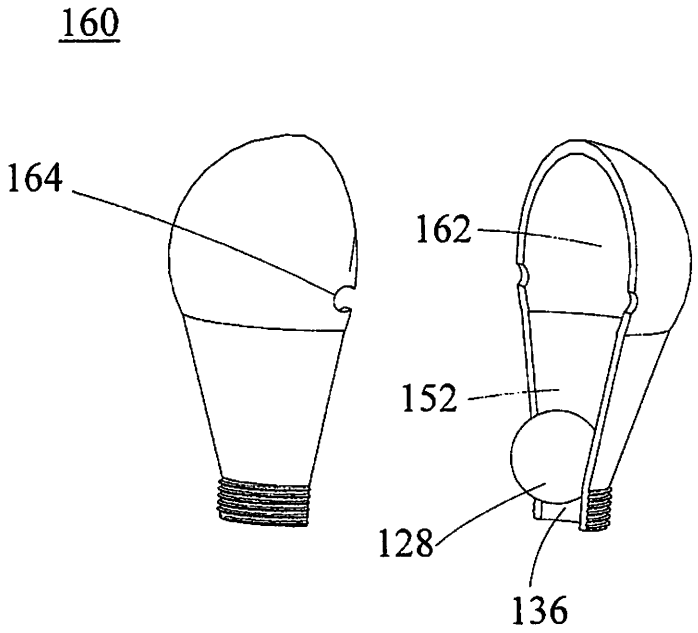
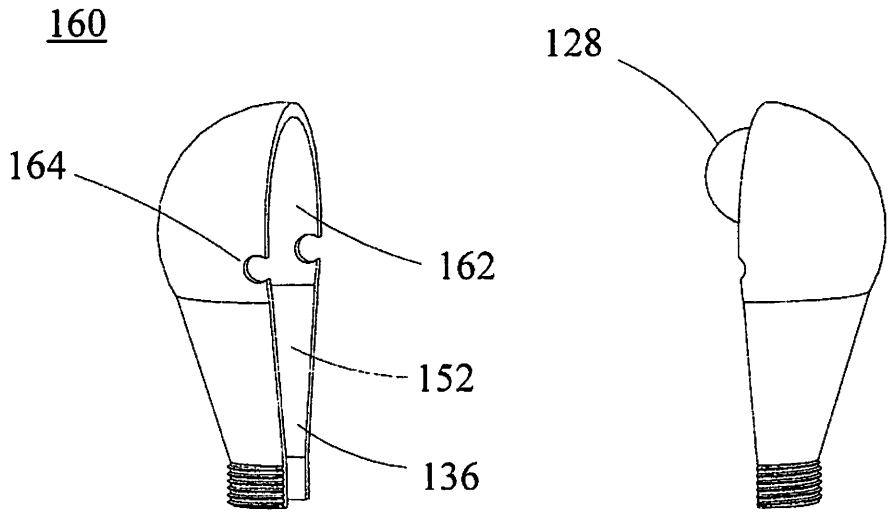


FIG. 6



MULTIPLE PORT, PRESSURE-RESPONSIVE ADJUSTABLE HOOKAH

RELATED APPLICATIONS

This application is a continuation of, and claims priority under 35 U.S.C. §120 from, U.S. patent application Ser. No. 11/201,274, filed Aug. 11, 2005 now abandoned, the disclosure of which is incorporated herein by reference.

The invention relates to a smoking apparatus, and more particularly, to a smoking apparatus that may be smoked by more than one smoker at a time.

BACKGROUND

Pipes are often used to smoke materials such as tobacco. Moisture from a fluid may be mixed with the pipe smoke to ameliorate harshness and to impart a pleasant flavor or aroma to the smoke. So-called hookah pipes are smoking apparatuses which mixed pipe smoke with moisture.

A hookah pipe has a bottle containing fluid. The bottle may be made of glass, such as crystal. A stem is mounted to the bottle. The stem includes a passage conveying smoke from a burner cup on top of the stem through a down tube projecting from the stem and into the fluid in the bottle. The stem is preferably made of metal. The smoke drawn through the stem is expelled from the down tube beneath the surface of the fluid and allowed to bubble up through the fluid to the surface, absorbing moisture as it rises to the fluid surface. A second passage formed within the stem conveys the now-moistened smoke out to a hose. A smoker smokes the hookah pipe by drawing smoke through the hose.

Hookah pipes may have a plurality of hoses—each with a separate fitting connecting them to the stem—thereby permitting multiple smokers to use the pipe. The stopper prevents air from being drawn through an unused fitting into the stem when the smoker inhales, bypassing the burner and destroying the draft. If, on the other hand, the hookah pipe is intended to be smoked by more than one smoker, each smoker is provided with a separate hose. Multiple smokers smoke the hookah pipe by inhaling alternately through their respective hoses. Smokers who are not currently inhaling may squeeze their hoses to block them, preventing air from being drawn through them down into the stem while the other smoker is inhaling. If one of the non-inhaling users forgets to pinch off his hose, or does so inadequately, the inhaling smoker will draw mostly smokeless air through the open hose, rather than smoke through the burner cup.

SUMMARY

A primary object of the invention is to overcome the deficiencies of the related art described above by providing a multiple-user smoking apparatus.

The invention is embodied in a smoking apparatus comprising a bottle, with a stem attached thereto with a burner cup mounted atop the stem, and smoking hoses connected to the stem by one-way flow fittings. When one smoker is using the pipe, the unused hoses are disconnected and the fittings may be replaced with, for example, a stopper or a pressure-release valve. The bottle contains a fluid and has an opening at an upper end thereof. The stem has a base and a neck extending upwardly from the base with a central passage extending through the base and the neck. A down tube extends from said base in communication with the central passage. The based is secured to the bottle with the down tube extending through the opening of the bottle with a terminal end of the down tube disposed beneath the surface of the fluid contained in the bottle. Two or more one-way flow fittings are secured to the stem in communication with an interior of the bottle, and each one-way flow fitting is constructed and arranged to permit air flow out of the interior of the bottle through the fitting and to restrict air flow into the interior of the bottle through the fitting. A hose is connected to each one-way flow fitting and is constructed and arranged to permit a user to draw on one end of the hose to draw air through the burner cup, through the central passage and down tube, through the fluid contained in the bottle, and into the user's hose.

These aspects of the invention are not meant to be exclusive. Furthermore, some features may apply to certain versions of the invention, but not others. Other features, aspects, and advantages of the present invention will be readily apparent to those of ordinary skill in the art when read in conjunction with the following description, and accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

The accompanying drawings, which are incorporated herein and form part of the specification, illustrate various embodiments of the present invention and, together with the description, further serve to explain the principles of the invention and to enable a person skilled in the pertinent art to make and use the invention. In the drawings, like reference numbers indicate identical or functionally similar elements. A more complete appreciation of the invention and many of the attendant advantages thereof will be readily obtained as the same becomes better understood by reference to the following detailed description when considered in connection with the accompanying drawings, wherein:

FIG. **1** shows a side, cross-sectional view of a multiple-user smoking apparatus according to a first embodiment of the invention.

FIG. **2** shows a one-way flow fitting for use with an embodiment of the invention.

FIG. **3** shows a side, cross-sectional view of a multiple-user smoking apparatus according to an alternate embodiment of the invention.

FIGS. **4**A and **4**B each show a perspective view of the exhaust valve of the present invention depicted in FIG. **3**.

FIG. **5** shows a sliced, perspective view of the exhaust valve of the present invention depicted in FIG. **3**.

FIG. **6** shows a sliced, perspective view of the exhaust valve of the present invention depicted in FIG. **3**.

DETAILED DESCRIPTION

FIG. **1** shows a multiple-user smoking apparatus **100**, e.g. a hookah pipe according to a first embodiment of the invention. Multiple-user smoking apparatus **100** includes a stem **102** having a base **130** and a neck **124** projecting up from the base **130**. A lower end **104** of base **130** is connected to a bottle **106** containing a fluid **108**, for example it may be disposed insertably in bottle **106**. Bottle **106** may be made of a material selected from the group consisting of acrylic, glass, Formica, quartz, plastic, and crystal.

Stem **102** includes a central passage **110**. A plurality of peripheral passages **112** are formed around central passage **110** the base **130** of the stem **102**, and communicate with an interior of bottle **106**. A proximate end **114** of a hose **116** is connected to the stem **102** at a peripheral passage **112** by a one-way flow fitting **150**.

As an alternative to discrete peripheral passages **112**, an interior plenum may be defined within the base **130** of the

stem **102**. The interior plenum would be open to the interior of the bottle **106**, and the down tube **118** would extend through the plenum. All hoses would be in communication with the plenum.

An upper end **120** of the down tube **118** is connected to the lower end **104** of the base **130** and extends into the bottle **106** below the surface of the fluid **108**. The down tube **118** may be threaded at its upper end **120** for connecting it with mating threads (not shown) formed in the base **130**. A burner cup **126** is mounted (such as by inserting an end thereof) at an upper end **132** of stem neck **124**.

Bottle **106** may contain fluid **108**, such as water or wine or a flavored water such as rose water.

In operation, one of several users of apparatus **100** inhales from a distal end of one of hoses **116**. As long as the hoses **116** held by the other, non-inhaling users of smoking apparatus **100** are substantially closed off, the inhalation creates a draft through the smoking user's peripheral passage **112** from the interior of bottle **106**. The draft creates a partial vacuum within the interior of bottle **106**, reducing a pressure at the surface of fluid **108** and allowing wet smoke from fluid **108** to bubble up and escape. This in turn reduces the partial pressure within fluid **108**, causing in turn a partial vacuum in central passage **110** and down tube **118** to burner cup **126** and drawing dry smoke down into fluid **108**.

Referring now to FIG. **2**, the one-way flow fitting **150** includes a stopper **128** (e.g., a ball) is disposed within the fitting body. The fitting **150** is secured to the base **130** of the stem **102** (preferably threaded) in alignment with one of the peripheral passages **112**. An interior space with a frustoconical surface **152** is defined within the fitting body. A narrow end **136** of the surface **152**, closest to the base **130**, has a width that is less than that of the stopper **128** (i.e. the stopper diameter) and a wide end of the surface **152**, further from the base than the narrow end, has a width that is greater than that of the stopper **128**.

When one of several users of smoking apparatus **100** inhales from a distal end of one of hoses **116**, stopper **128** in the fitting **150** associated with that hose **116** is drawn away from narrow end **136** of the interior frustoconical surface **152** by the draft, allowing wet smoke to traverse the passage **112**, through the fitting **150** and around the stopper **128**, and into the hose **116**. Stoppers **128** in fittings **150** associated with the hoses **116** held by the other non-inhaling users of apparatus **100**, on the other hand, remain at small end **136**, retained there by the partial vacuum created in the interior of bottle **106**. Thus the peripheral passages **112** associated with the hoses **116** held by the non-inhaling users of smoking apparatus **100** are substantially closed off by the stopper **128** wedged in the narrow end **136**. Accordingly, the non-inhaling smokers need do nothing to close off their respective tubes. The draft created by the inhaling smoker will automatically close off all but his own smoking tube.

A pin **156** (e.g. a small screw), or other structure, is preferably disposed in a wall of fitting **150** to prevent stopper **128** from being drawn into hose **116** by inhalation.

FIG. **3** depicts an embodiment of the present invention bearing a one-way flow fitting exhaust valve **160** and the one-way flow hose fitting **150**. The pressure-release valve, or exhaust valve **160**, like the hose fitting **150**, couples or is affixed to the base **130** of the stem **102** (preferably threaded) in alignment with one of the peripheral passages **112**. FIG. **4A** and FIG. **4B** depict in detail the exhaust valve **160**.

The exhaust valve **160** is a flow fitting of the present invention that fits into the peripheral passage of the hookah base of the stem. Rather than include an aperture for accepting a hookah hose, the exhaust valve **160** possesses a body lacking sizable apertures. The exhaust valve **160** includes a body with a release port **164** in selective fluid communication with, and that permits external exhaust from, the peripheral passage **112**. The body of the exhaust valve **160** may include any shape, configuration, and dimensions suitable to perform its task.

As FIG. **5** shows, the selective fluid communication between the release port and the peripheral passage is controlled by the stopper **128** of the present invention. The exhaust valve includes an interior space with a frustoconical surface **152** within the exhaust valve **160** body. A narrow end **136** of the surface **152**, closest to the base, has a width that is less than that of the stopper **128** (i.e. the stopper diameter) and a wide end of the surface **152**, further from the base than the narrow end, has a width that is greater than that of the stopper **128**. As FIG. **3** shows, the exhaust valve **160** is preferably used in conjunction with at least one hose fitting positioned in a stem base that draws from a common volume of air. The exhaust valve reacts to the negative net pressure created by the draw of air from a hose through a hose fitting by permitting downward actuation of the exhaust valve stopper **128** towards the stem base. The negative net pressure acts to seal the hookah and permit the user of the hookah a tight seal to enhance his draw of smoke from the hookah bottle. In such circumstances, the stopper **128** would be positioned as shown in FIG. **5**.

FIG. **6** depicts the positioning of the exhaust valve stopper **128** in a positive bottle pressure situation. Positive net pressure urges the stopper through the frustoconical body of the exhaust valve to permit air passage around the stopper. The preferred dimensions of the exhaust valve **160** includes a bulbous stopper compartment **162** connected to the frustoconical interior portion **152**. The stopper compartment **162** includes a substantially continuous surface from the frustoconical interior thereto to prevent the stopper from catching in transition stages and prevent the build-up of contamination in the interior of the exhaust valve. Upon an internal net pressure decrease, the stopper may roll back into a lower position. The stopper compartment **162** preferably permits substantial three-dimensional motion of the stopper therein. A bulbous exhaust valve is preferred as it presents a substantial, smooth interior surface.

The release port **164**, in any quantity, is preferably located on the stopper compartment, and should be located on the exhaust valve at least a stopper's diameter from the connection between the stem base and the exhaust valve. The release port **164**, or release ports in the aggregation, should have an area substantially smaller than the narrowest cross-sectional area of the passage **112** to which it connects. A preferred sizing of the release port **164** is between 20% and 80% of the narrowest cross-sectional area of the passage **112** to which the exhaust valve directly connects. The size of the release port **164** may vary greatly with the hookah with which it is used. A relatively decreased size permits a user to blow through a hookah hose into the hookah bottle and purge the bottle of stale smoke within. A release port sized to closer to the narrowest cross-sectional area of the passage **112** to which the exhaust valve directly connects will minimize the force applied to the air within the hookah bottle and will generally not permit a velocity adapted to the clear the smoke contents of the hookah bottle. A release port drastically smaller than the narrowest cross-sectional area of the passage **112** to which the exhaust valve directly connects will create excess pressure within the hookah bottle that may force the liquid therein through the exhaust valve—or even up the stem to the burner.

Modifications and variations of the present invention are possible in light of the above teachings. It is therefore to be

understood that the invention may be practiced otherwise than as specifically described herein. Although the present invention has been described in considerable detail with reference to certain preferred versions thereof, other versions would be readily apparent to those of ordinary skill in the art. Therefore, the spirit and scope of the appended claims should not be limited to the description of the preferred versions contained herein.

What is claimed is:

1. A manual pressure-controlled hookah kit, said kit comprising:

a hookah bottle having a bottle interior;

a stem, configured to sealingly attach to said hookah bottle, with a base defining multiple, internal peripheral passages with uniform, external peripheral passage openings and leading to said bottle interior and with a neck defining a central smoke passage configured such that smoke travels from said central smoke passage into said bottle interior and then through said peripheral passages;

a pressure-release exhaust valve, with a lower portion adapted to releasably affix to any one of said uniform peripheral passage openings, having a body defining an interior void, comprising a tapered void portion leading to said lower portion of said exhaust valve and a bulbous void portion, that confines a floating exhaust stopper with a stopper diameter length therein and at least one release port positioned on said exhaust valve body at least said stopper diameter length from said stem base upon affixation thereto and substantially transverse to said interior void; and

a hose fitting, defining a tapered interior void with a major portion dimensioned to internally accept a hookah hose and a minor portion defining a smoke inlet, said hose fitting with a lower portion adapted to releasably affix to any one of said uniform peripheral passage openings,

wherein an aggregation of said release ports defines an area sized substantially smaller than said hose fitting interior void minor portion and further sized to effect purging of a substantial portion of gas within said bottle interior in response to moderate user pressure originating from said hose fitting, and

wherein said hose fitting interior void is in gaseous communication with said exhaust valve interior void such that pressure exerted from said hose fitting interior void minor portion to said hose fitting interior void major portion forces said exhaust valve stopper toward said exhaust lower portion, and pressure exerted from said hose fitting interior void major portion to said hose fitting interior void minor portion forces said exhaust stopper toward said exhaust valve bulbous portion.

2. The kit of claim 1 wherein said hose fitting further comprises: an impediment, disposed within said void, dimensioned to partially obstruct said void and to allow substantial interior entry of a penetrative proximate end of a tapered hookah hose; and a floating spherical fitting stopper, disposed in said void between said smoke inlet and said impediment, dimensioned to selectively seal said void from the egress of wetted smoke.

3. The kit of claim 2 wherein said impediment is externally-accessible.

4. The kit of claim 3 further with at least two of the hose fittings of claim 3.

* * * * *

EXHIBIT J

US009107456B2

(12) **United States Patent**
Mehio

(10) **Patent No.: US 9,107,456 B2**
(45) **Date of Patent: Aug. 18, 2015**

(54) **HOOKAH HOSE, HOOKAH SYSTEM**

(75) Inventor: **Nizar Mehio**, Tallet El Khayet (LB)

(73) Assignee: **Mya Saray, LLC**, Sterling, VA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1157 days.

(21) Appl. No.: **12/944,063**

(22) Filed: **Nov. 11, 2010**

(65) **Prior Publication Data**

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(51) **Int. Cl.**
A24B 5/02 (2006.01)
A24B 5/08 (2006.01)
A24F 1/30 (2006.01)

(52) **U.S. Cl.**
CPC ***A24F 1/30*** (2013.01)

(58) **Field of Classification Search**
None
See application file for complete search history.

(56) **References Cited**

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* cited by examiner

Primary Examiner — Richard Crispino
Assistant Examiner — Phu Nguyen
(74) *Attorney, Agent, or Firm* — Da Vinci's Notebook, LLC

(57) **ABSTRACT**

The present invention is directed to a hookah hose, hookah system, and process for cooling hookah smoke in a hookah. The hookah hose includes a shank, a conduit, a mouthpiece, and a reservoir bearing a coolant cartridge. The shank permits the hookah hose to connect to a stem of a hookah generally or the hookah system of the present invention. The use of coolant cartridges permits a user to manipulate both wet smoke temperature and velocity.

13 Claims, 7 Drawing Sheets

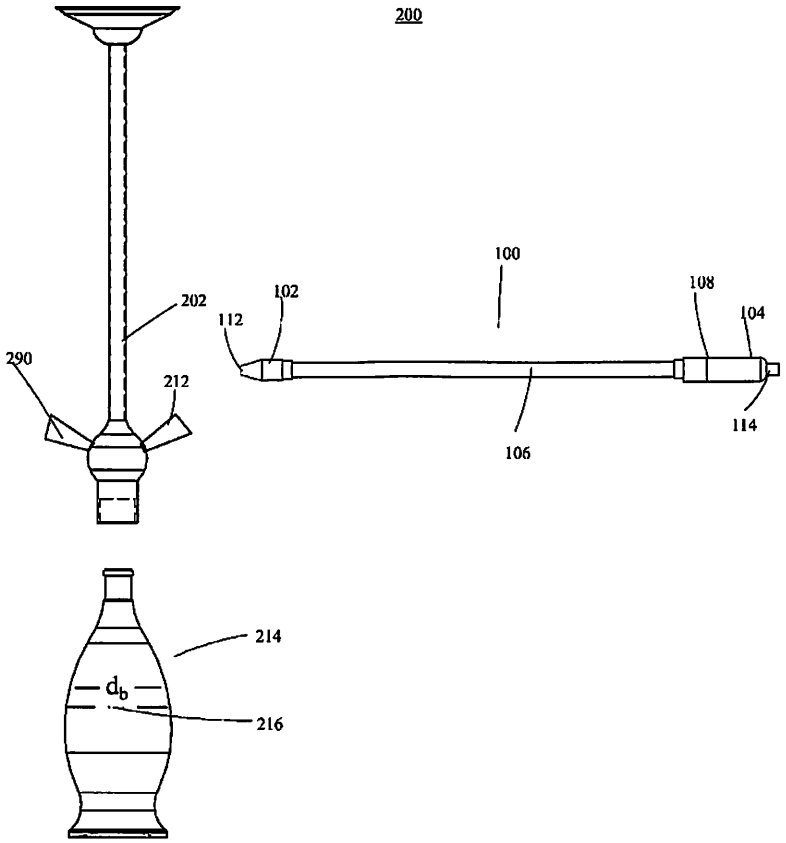


FIG. 1

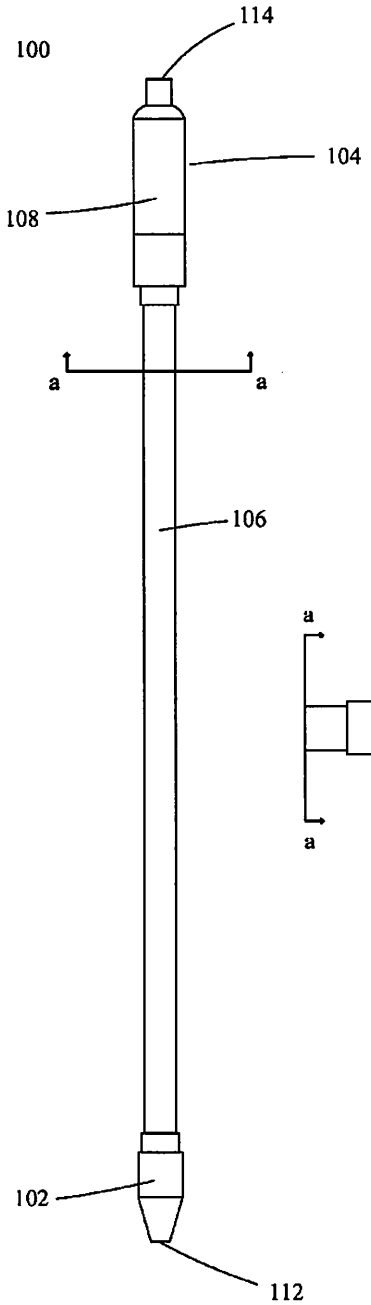


FIG. 2

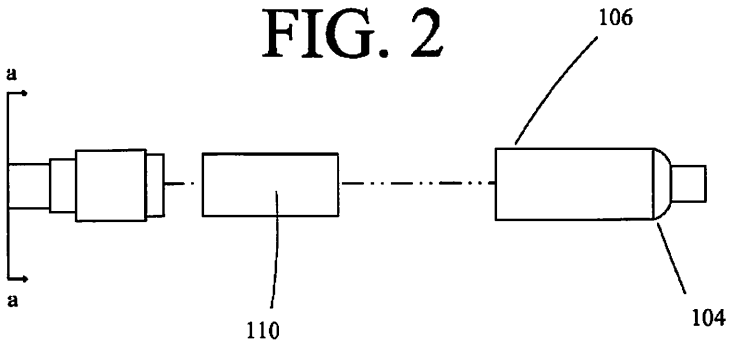


FIG. 3

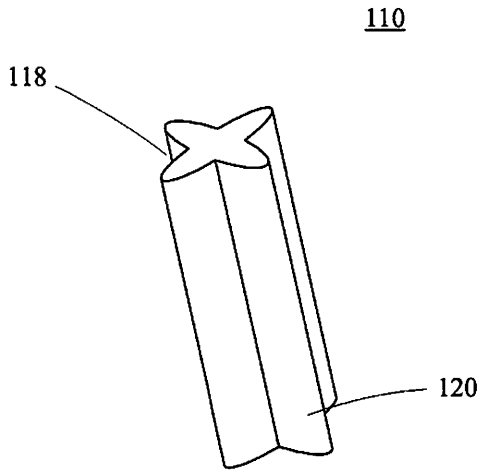


FIG. 4

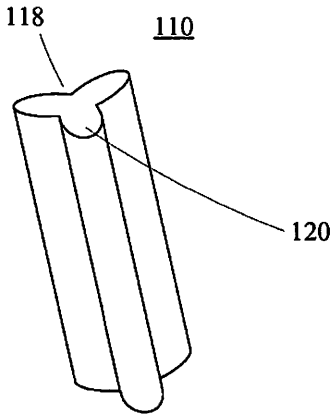


FIG. 5

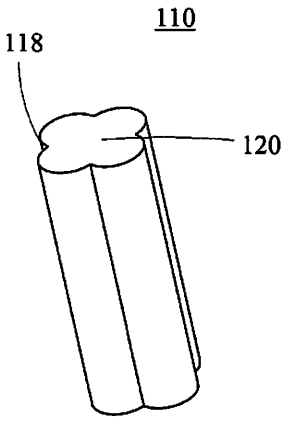


FIG. 6

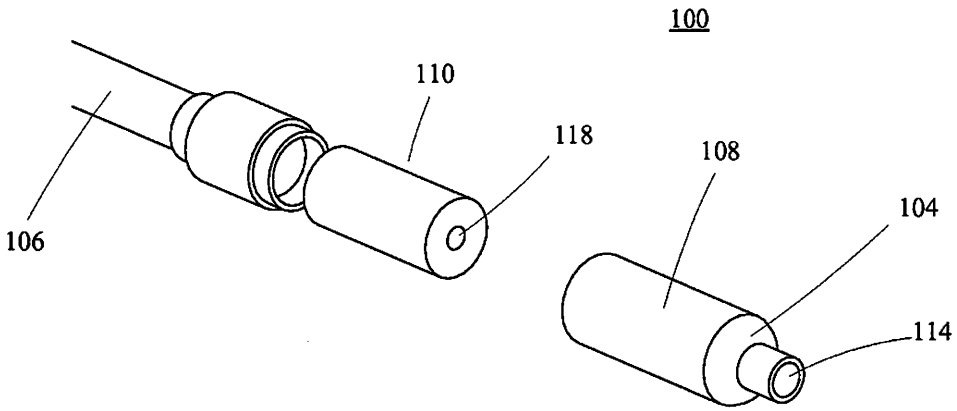


FIG. 7

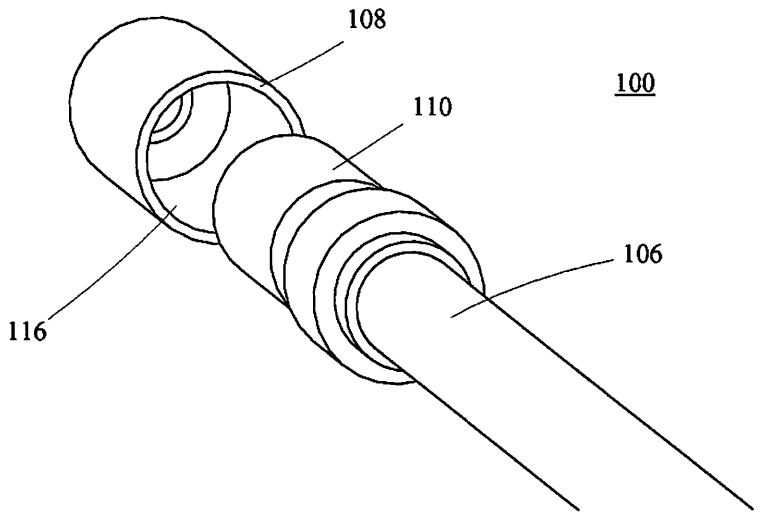


FIG. 8

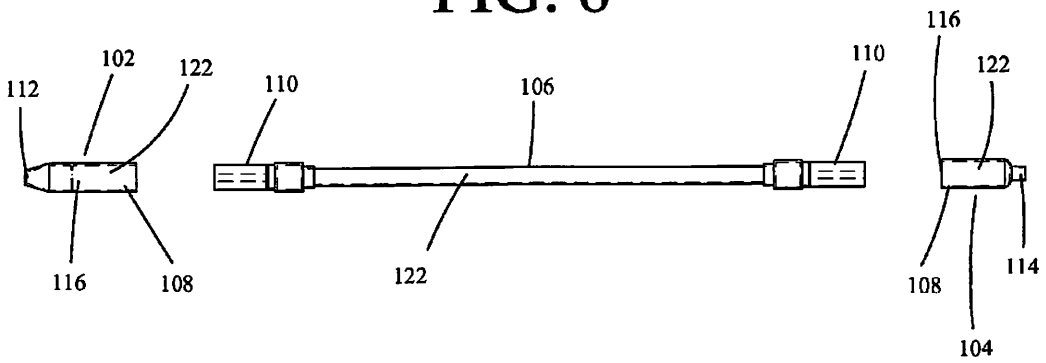


FIG. 9A

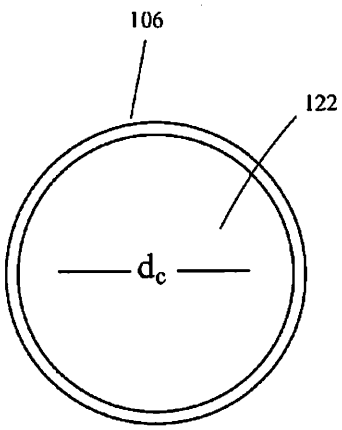


FIG. 9B

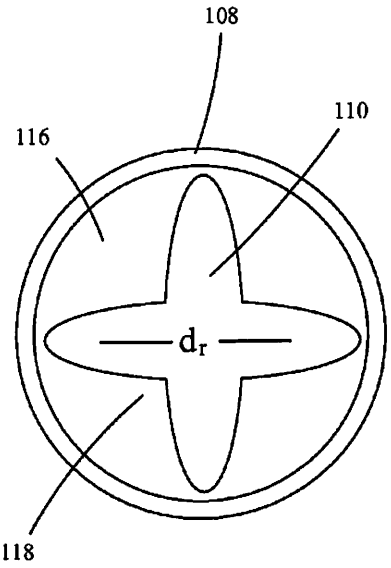


FIG. 10

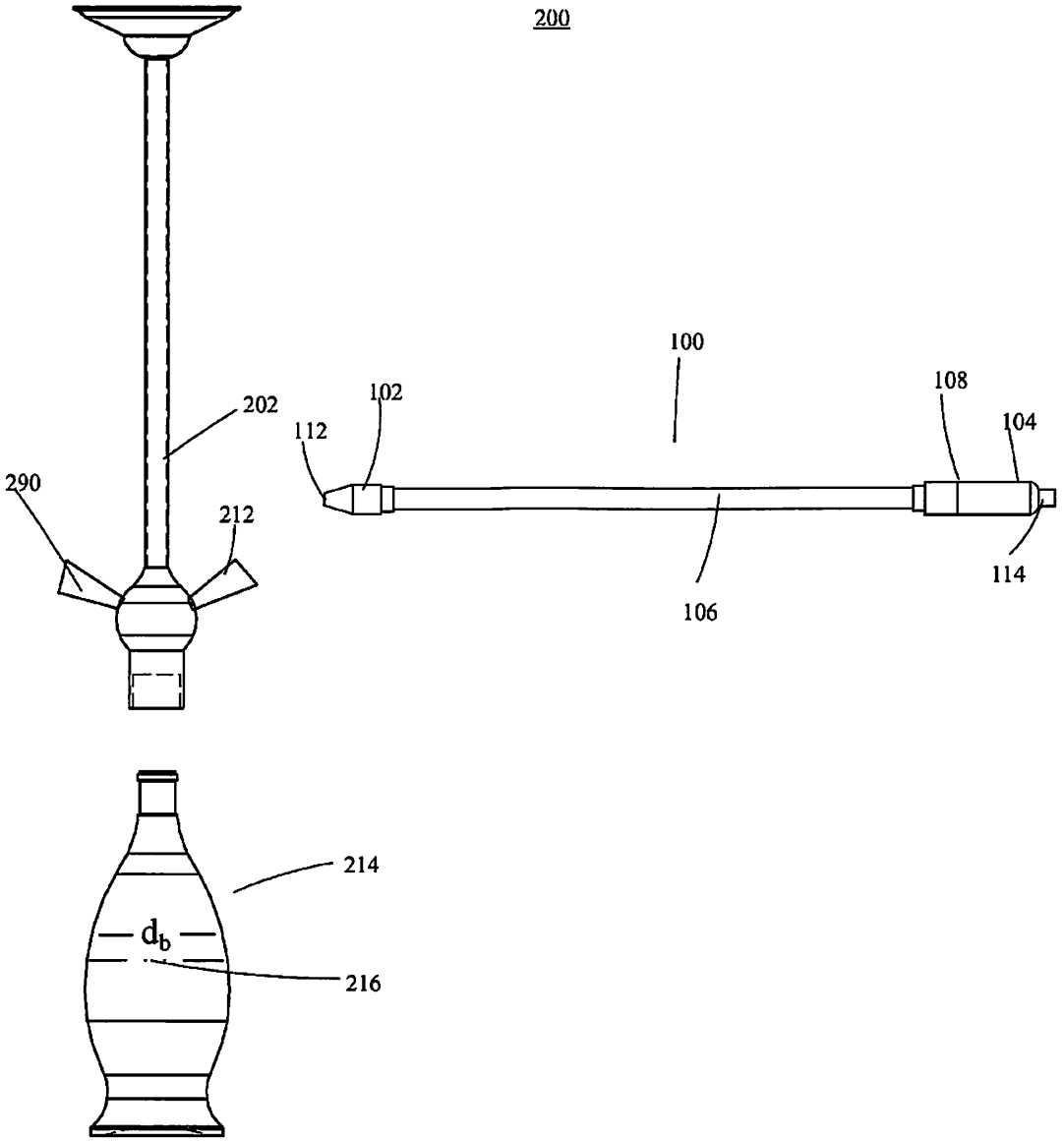


FIG. 11A

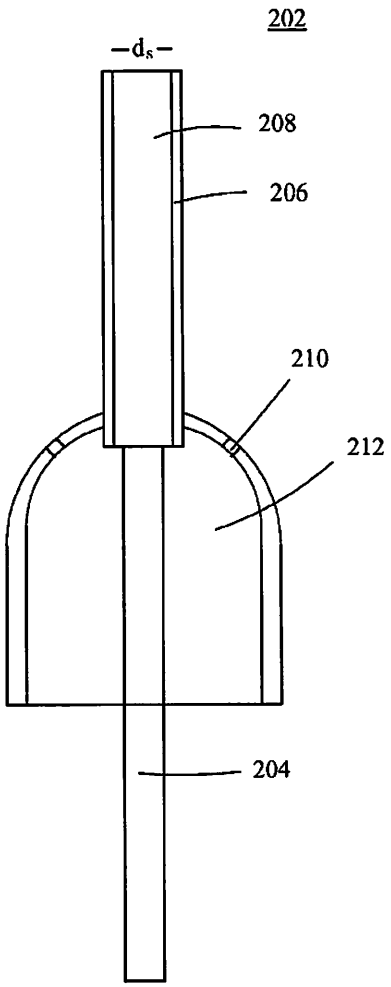


FIG. 11B

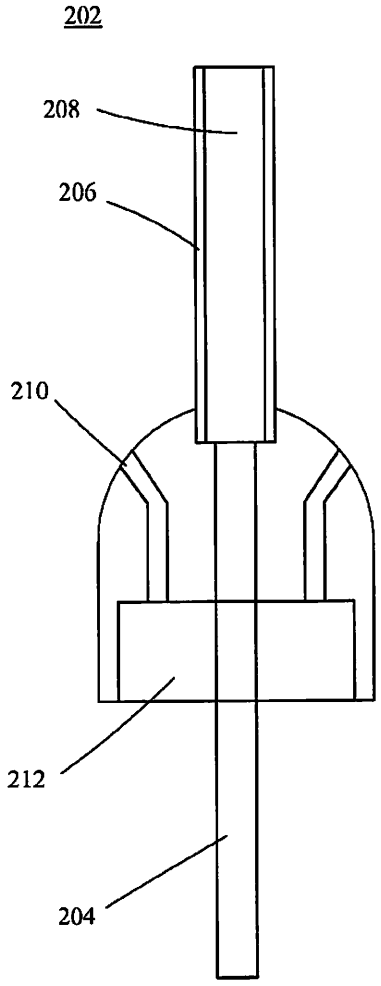
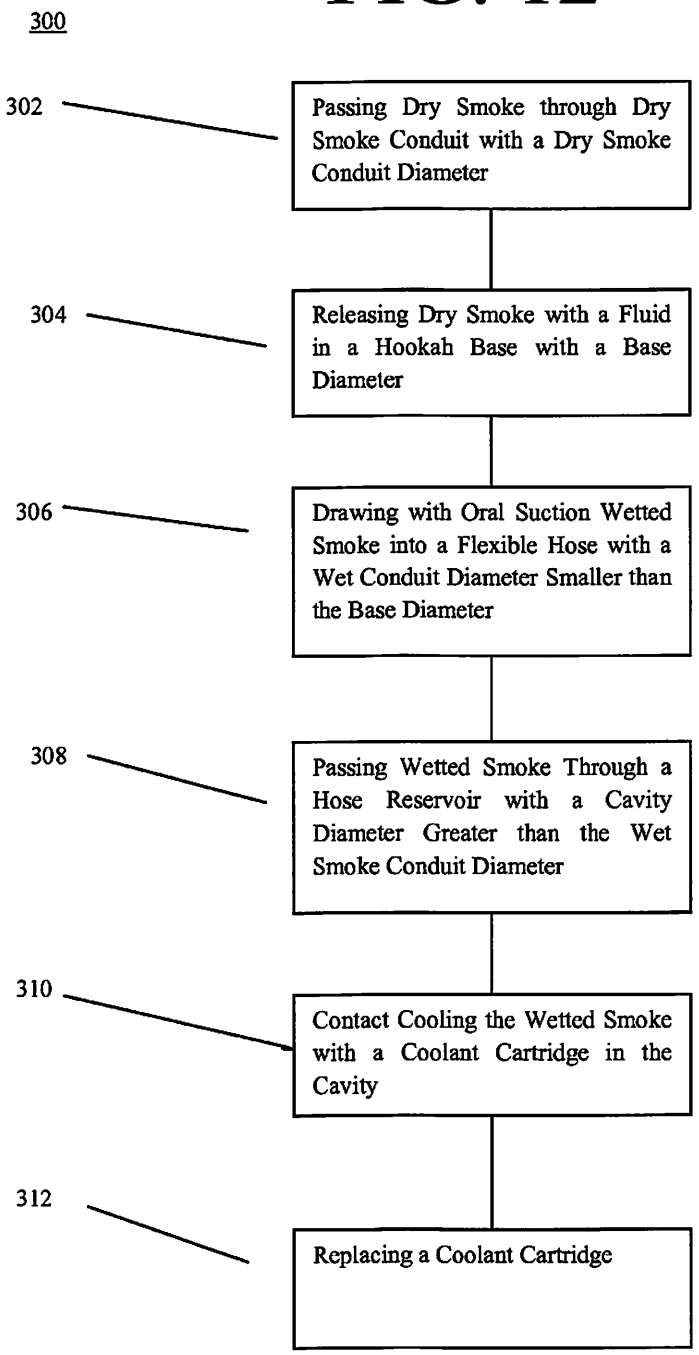


FIG. 12


300
302
Passing Dry Smoke through Dry Smoke Conduit with a Dry Smoke Conduit Diameter
304
Releasing Dry Smoke with a Fluid in a Hookah Base with a Base Diameter
306
Drawing with Oral Suction Wetted Smoke into a Flexible Hose with a Wet Conduit Diameter Smaller than the Base Diameter
308
Passing Wetted Smoke Through a Hose Reservoir with a Cavity Diameter Greater than the Wet Smoke Conduit Diameter
310
Contact Cooling the Wetted Smoke with a Coolant Cartridge in the Cavity
312
Replacing a Coolant Cartridge

HOOKAH HOSE, HOOKAH SYSTEM

FIELD OF THE INVENTION

The present invention relates to the field of wetted smoking and more specifically to the field of hookahs.

BACKGROUND

Of the many proud traditions of Ottoman culture, few have achieved the world-wide fame of hookah smoking. Once confined to the Middle East and Near East regions, the hookah's notoriety was invigorated by Napoleon's invasion of Egypt and the stream of curious Westerners which followed thereafter. Painters, such as Eugene Delacroix and Jean-Leon Gerome, when depicting Oriental styles typically included a hookah as a symbol of the depicted culture. The hookah was elevated from a regional curiosity to a universal symbol of sophistication.

The hookah, which has maintained a constant popularity in the Middle East, presently enjoys in American culture a unique, niched function. Hookah smoking combines community and relaxation into a single event. Rarely does one witness a group smokers crowded about a single cigarette, cigar, or pipe. Though hookahs are often designed with a single smoke outlet; the presence of multiple hoses, each capable of simultaneous use, emanating from a single smoking instrument is unique to the hookah. Multiple hose hookahs form the centerpieces of hookah clubs in which hookah smokers gather to unwind and converse with other community members. A hookah combines fashion, art, and function into a single device.

A basic hookah includes a base, a stem, at least one hose with a mouthpiece, and a bowl. The hookah bowl holds the hookah tobacco, frequently "massell." Massell is a mixture of tobacco, molasses, and often a flavor or fruit extract. The molasses and fruit extract add a substantial amount of moisture to the massell that is missing in conventional tobacco. This added moisture makes massell more sensitive to the elements relative to conventional tobacco; prolonged exposure to air evaporates much of the moisture of massell and reduces its flavor. When properly protected, massell allows a smoker a more recreational, flavored smoke than the tobacco of cigars, cigarettes, pipes, and the like. An experienced hookah smoker will know to loosely distribute massell into a pile within the hookah bowl to allow heat to evenly circulate through the pile.

The heat that ignites the massell derives from coals positioned above the hookah bowl. The coals and massell preferably never contact one to the other. A common method of placing coals proximate to the massell involves spreading a foil upon the top of a hookah bowl, punching holes in the foil, and then placing the coals onto the foil. The heat from the lighted coals travels through the holes in the foil to ignite portions of the massell. Particulates from the massell travel in the smoke created by the ignition down through the hookah bowl into the hookah pipe.

The hookah stem is the body of a hookah and is usually fabricated from brass, tin, or stainless steel. The stem transports the massell smoke from the bowl to the hookah base, which is a cavern containing water. The base of the hookah is typically fabricated of glass or plastic and tends to be the most expressive portion of the hookah, ranging from translucent to wildly-colored. Within the cavern of the hookah base, the massell smoke is cooled by the water within. The cooled massell smoke then returns to the stem, though not through the same entrance by which the massell smoke enters the base. From the stem, the massell smoke travels through the hose and out of the mouthpiece.

There are presently two prominent versions of hookah structures: the Lebanese style and the Egyptian style. Although the aficionado will explain that there are many differences between the two styles, the practical layman would quickly note the obvious difference: the connection point between the stem and the hookah bowl. The Egyptian style hookah pipe tapers upward into what is generally referred to as a male connection. The Egyptian style hookah bowl includes a female connection which receives the pipe's male connection. In the Lebanese style hookah the bowl has the tapered male connection and the pipe has the female connection to accept the Lebanese style hookah bowl. In both styles, to allow a more airtight connection a collar is generally added to fit around the male connection.

Wet smoke from a hookah has had its internal temperature manipulated by the liquid of the base. However, the liquid of the base may not supply a sufficient ability to control the internal temperature and further control may be desired. Furthermore, the use of a room temperature liquid prevents the wetted smoke from achieving a temperature less than that of room temperature. A user may further desire to alter the ability to control wetted smoke temperature without disturbing a base, or may desire to alter the fluid flow characteristics of a hookah singly or among multiple parties of a group. Therefore there is a need for a hose, hookah system, and process that permits controlled, effective manipulation of wetted smoke pressure and temperature in the presence of a uniform barrier filter layer.

SUMMARY

The present invention is directed to a hookah hose, hookah system, and process for cooling hookah smoke in a hookah. The hookah hose includes a shank, a conduit, a mouthpiece, and a reservoir bearing a coolant cartridge. The shank permits the hookah hose to connect to a stem of a hookah. The shank begins with a shank aperture that accepts wetted smoke from the stem of a hookah and passes the wetted smoke within the hose conduit. The conduit is the flexible body of the hose that conducts wetted smoke to the mouthpiece and the mouthpiece aperture. Positioned on the hose, between the shank aperture and the mouthpiece aperture is the reservoir. The reservoir includes a cavity that may be exposed for the placement of the coolant cartridge. The coolant cartridge includes a membrane that bears an artificial cold source, e.g. a phase transitional fluid. The cartridge may have internal and peripheral wet smoke channels to contact cool wetted smoke as it passes through the reservoir.

The hookah system includes the hookah hose as part of an advantageous hookah system. The hookah system includes the hookah hose, a hookah base, and a removable hookah stem. The hookah stem sits upon the hookah base and includes a dry smoke conduit that releases dry smoke to a substantial depth within the base. The hookah stem includes a wet smoke duct within the hookah stem that is positioned over the base and shunts wetted smoke to the shank aperture of the hose. The hookah system may accept multiple hoses.

The process for cooling hookah smoke includes vertically passing dry smoke through a dry smoke conduit. The dry smoke is released directly into fluid within a sealed hookah base. A user draws with oral suction wetted smoke through the hose through the reservoir and interior cavity with the coolant cartridge. The coolant cartridge cools on contact the wetted smoke.

Therefore, it an aspect of the present invention to provide superior cooling for wetted smoke smoking device.

Therefore, it is an aspect of the present invention to provide a hookah hose capable of independently cooling smoke irrespective of the hookah to which it is attached.

It is a further aspect of the present invention to provide a hookah hose adapted to bear a replaceable cooling device capable of replacement during use of the hookah to which it is attached.

It is a further aspect of the present invention to provide a hookah hose adapted to cool wetted smoke with minimal mess within the hose.

It is a further aspect of the present invention to provide a hookah system and process capable of filtering and wetting dry smoke and further cooling the resulting wetted smoke.

It is a further aspect of the present invention to provide a hookah system, hose, and process capable of effective cooling and filtering without generating substantial internal back pressure at the point of cooling.

These aspects of the invention are not meant to be exclusive. Furthermore, some features may apply to certain versions of the invention, but not others. Other features, aspects, and advantages of the present invention will be readily apparent to those of ordinary skill in the art when read in conjunction with the following description, and accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. **1** is an orthographic view of an embodiment of the hose of the present invention.

FIG. **2** is a partial, exploded view of the hose of FIG. **1** along cutting lines a-a.

FIG. **3** is a perspective view of an embodiment of the coolant cartridge.

FIG. **4** is a perspective view of an embodiment of the coolant cartridge.

FIG. **5** is a perspective view of an embodiment of the coolant cartridge.

FIG. **6** is a partial, perspective view of an embodiment of the hose of the present invention.

FIG. **7** is a partial, perspective view of an embodiment of the hose of the present invention.

FIG. **8** is a revealed, orthographic view of an embodiment of the hose of the present invention.

FIG. **9**A is a cross-sectional view of an embodiment of the hose of the present invention.

FIG. **9**B is a cross-sectional view of an embodiment of the hose of the present invention.

FIG. **10** is an orthographic view of the hookah system of the present invention.

FIGS. **11**A and B are exposed views of hookah stems of the present invention.

FIG. **12** is a view of the process of the present invention.

DETAILED DESCRIPTION

Referring first to FIGS. **1** and **2**, a basic embodiment of the hookah hose **100** is shown. (Overview the main elements). The hookah hose **100** includes a shank **102**, a conduit **106**, a mouthpiece **104**, and a reservoir **108** bearing a coolant cartridge **110**. The shank **102** permits the hookah hose **100** to connect to a stem of a hookah. The shank **102** begins with a shank aperture **112** that accepts wetted smoke from the stem of a hookah and passes the wetted smoke within the hose conduit **106**. The shank **102** need not have any particular sizing or dimensions. It is preferred that the shank have variable outer walls, e.g. frustoconical, that permit the shank to form a sealed interference fit with a hookah stem. The hookah hose **100** may be utilized with any existing hookah and the shank may be formed to fit a particular hookah or dimensioned to permit universal attachment. The shank is preferably a rigid, inflexible material that may include metals, plastic, or other hard material.

The shank **102** is preferably integrally affixed to the conduit **106**. The conduit **106** is a long flexible component to allow a user to use a hookah in multiple positions adjacent to the hookah. Throughout the conduit **106** is a wet smoke passage that begins in the shank **102** with the shank aperture **112**. The conduit **106** is longitudinally connected to the mouthpiece **104**, a rigid component with a mouthpiece aperture **114**. The mouthpiece aperture **114** is an opening in the mouthpiece that permits a user to apply oral suction to urge wetted smoke from the shank opening **112**, into the wet smoke passage of the shank **102**, through the wet smoke passage of the conduit **106**, into the wet smoke passage of the mouthpiece **104**, though the mouthpiece aperture **114**, and to the user. The shank **102**, conduit **106**, and mouthpiece **104** contribute to form a single wet smoke passage placing the shank, conduit, and mouthpiece in fluid communication with each other component of the hose.

Turning to FIGS. **6** and **7**, integrated upon the hose, between the shank aperture and the mouthpiece aperture **114** is the reservoir **108**. The reservoir **108** includes a cavity **116** that may be exposed for the placement of the coolant cartridge **110**. The preferred reservoir **108** is a mouthpiece reservoir affixed directly adjacent to said mouthpiece **104** such that the reservoir and the mouthpiece ostensibly form a unitary component. The preferred reservoir is configured to include an inflexible construction to form a segmentable shell. By segment, it is meant that a portion of the reservoir separates from another portion of the shell to the extent necessary to access the cavity **110** for removal/placement of a coolant cartridge **110**. The cavity **108** may include any dimensions adapted to contain the coolant cartridge; the preferred dimensions include that of a cylinder. The segmented reservoir may include threading to permit reservoir portions to be selectively removable and securely maintained. The reservoir is positioned contiguous to the wet smoke passage and in fluid communication with the shank, conduit, and mouthpiece.

Turning to FIGS. **3-5**, the coolant cartridge **110** includes a membrane **120** with an artificial cold source, preferably phase transitional fluid, therein. By phase transitional fluid, it is meant a substance that is naturally a liquid at comfortable room temperatures, e.g. approximately 50-100 degrees Fahrenheit, but undergoes a phase change to a solid at temperatures less than comfortable room temperature environments. By artificial cold source, it is meant a substance adapted to achieve a coolant temperature due to ancillary interactions with the coolant cartridge catalyzed or supplied by external factors. Examples of artificial cold sources and external factors include: freezing or cooling a membrane bearing water or a water derivative (e.g., diluted isopropyl alcohol), breaking a separation layer within the membrane that bears separated urea and ammonium chloride that intermingle upon breaking of the separation layer, separated ammonium nitrate and a starch material acting as a gelling agent in one zone and water in another zone, and the like.

As a gelling agent, inorganic compounds such as metal oxides, metal alkoxides, or alkali metal salts of metal oxides can be used. These include zinc oxide, tin oxide, titanium oxide, zirconium oxide, and silicates and aluminates in combination with solvents such as water and alcohols. Useful organic gelling agents include organic compounds such as

carbohydrates including starch; polyacrylamide; polyols such as pentaerythritol; or proteinaceous materials such as dried gelatin. These agents can form gels in combination with solvents such as water, acetone, alcohols, dimethoxytetraglycol. As a multiple use artificial cold source may include any compound adapted for maintenance of internal, chilled temperature to a greater degree than simple frozen water; a preferred artificial cold source may include a combination of water, gel food grade guar gum, and sodium chloride, or water and a cellulose ether. The artificial cold source need not undergo a phase change, although a phase change liquid is preferred as the phase change may be indicative of a substantial increase in internal temperature of the artificial cold source. Any plastic or vinyl material, or other suitable material dependent upon the manufacturer's desire for rigidity or flexibility, may be used in the construction of the membrane.

The cartridge may have internal and peripheral wet smoke channels **118** to contact cool wetted smoke as it passes through the reservoir. By wet smoke channel **118**, it is meant a conduit within or upon the cartridge by which wetted smoke may pass longitudinally through or along the cartridge. As the cartridge is adapted to be positioned with the cavity of a reservoir and the reservoir is in fluid communication with the shank-mouthpiece-conduit network, there must be some void that permits wetted smoke to pass along the cartridge to the mouthpiece aperture. The passage along the cartridge is in a manner that permits a substantial amount of wetted smoke to contact the cartridge membrane and cool the wetted smoke. With the channel is entirely bounded by the cartridge, as in FIG. **6**, then the channel is considered an internal channel; when the channel is only partially bounded by the cartridge and is further bounded by the inner sidewall of the reservoir, then the channel is considered a peripheral channel. Multiple, peripheral channels are preferred in the cartridge of the present invention as multiple channels permit a greater surface area of the cartridge to contact the wetted smoke during passage.

Furthermore, the cartridge may include a flavoring agent either within the membrane **120**, or the cartridge may be composed of the flavoring agent. Due to the pressure factors within a hookah system, it is preferred that the cartridge bearing the flavoring agent include dimensions similar to cooling cartridges of the present invention.

As depicted in FIG. **8**, the present invention may include multiple reservoirs **108** with multiple cavities **116** for multiple cartridges **110**. The cartridges **110** may include similar or differing dimensions. The reservoirs may be positioned at any position along the hose in fluid communication with the wet smoke passage **122**. It is preferred any auxiliary reservoir include a shank reservoir positioned adjacent to the shank **102** such that the shank **102** and reservoir ostensibly form an integrated component. The reservoir may include any reservoir attributes stated herein.

As shown in FIGS. **9A-9B**, the reservoir **108** of the present invention includes a reservoir diameter d_r. By diameter, it is meant a measurement from a first side of the interior of the reservoir to a second, opposing side of the interior of the reservoir. The cartridge is preferably sized to form an interference fit, slip fit, or close fit with the reservoir. Closing positioning the proximities of the cartridge to the inner wall of the reservoir permits the travel path of wetted smoke to be more closely predicted and regulated. The conduit **106** also includes a diameter d_c defined by a measurement from a first side of the interior of the conduit to a second, opposing side of the interior of the conduit. The reservoir diameter is preferably sized to be substantially larger than the conduit diameter. By sizing the reservoir diameter to be larger than the conduit diameter, it permits a greater amount of cartridge surface area to be utilized with a minimum of back pressure and other fluid dynamics negatives resulting from detrimental cross section restrictions. It is more preferred that an aggregation of the wet smoke channels **118** of the coolant cartridge **110** results in an aggregated cartridge channel cross-section area at least dimensionally comparable to, and more preferably greater than, a cross-section area of the wet smoke passage. In other words, providing a cross section area within the reservoir—notwithstanding the presence of the cartridge—approximately equal to, or greater than, that of the cross section of the conduit **106** permits wetted smoke to continue passage without detrimental pressure effects within the hose. The present invention, however, may be practiced with reservoirs having a cross section area sized approximately equal to, or smaller, than a cross section of a conduit. It is preferred that the diameter of the reservoir be greater than that of the diameter of the mouthpiece aperture and shank aperture.

As depicted in FIGS. **10**, **11A**, **11B**, and **12** the hookah system **200** of the present invention includes a stem **202**, a base **214**, and hose **100**. The hose may include any of the attributes discussed within the present disclosure. The base **214** and stem **202** may include generally commercially available hookah bases and stems; however, certain characteristics described within this disclosure permit advantageous synergistic advantages. The base **214** may include any hookah vessel adapted to contain a room temperature liquid **214**. The base typically includes a sidewall that expands downward, which is of significance in light of the fluid dynamics advantages of the present invention. The liquid **214** is filled within the base to a degree significant to cool and filter dry smoke from the stem **202**. Dry smoke travels down a dry smoke conduit **208** of the stem **202**, with a stem diameter d_s, from a bowl attached thereto (not shown). The stem of the present invention includes any component or series of components adapted to vertically pass dry hookah smoke from a hookah bowl to a hookah base. The stem may include a unitary construction, or include an intermediate tube **206** affixed to a down tube **204**. The stem penetrates the base **214** suitable to permit the dry smoke to be passed **302** through the stem and released **304** into a substantial amount liquid **216** of the base **214**. By substantial amount of liquid, it is meant an amount of liquid suitable to provide significant or customary cooling of a dry hookah smoke. Typical liquid amounts include approximately 100.0 mL to 1.0 L, depending upon the size and configuration of the base. The liquid forms a uniform barrier to the passage of dry smoke in the sealed environment of a stem/base/hose configuration except through disruption of the barrier. A uniform liquid filter barrier is differentiated from a solid perforated filter layer, e.g., charcoal filters or fibrous filters, which permits passage of dry smoke without disruption of the structure of the layer.

Liquid is a preferred filter layer as it is disposable and includes a greater capacity to absorb the temperature of the dry smoke. Disadvantages of a uniform liquid barrier include its negative effects on a user's force required to draw smoke. Embodiments of the present invention require a uniform liquid barrier, and rather than seek means of eliminating the uniform liquid barrier, seek to mitigate its negative effects in further cooling of smoke. Means for mitigating the negative effects of the uniform liquid barrier include downstream adjustment of internal configurations.

As the smoke is released from the stem into the base, the smoke becomes wetted smoke and rises into a wet smoke duct **212**, which may include either a cavern or discrete voids within the stem. The smoke may rise of its own volition or be drawn **306** via the oral suction of a user having a hose in fluid

communication with the base. The base includes a base diameter d_b as measured from opposing inner sidewalls of the base just above the waterline. The wet smoke duct **212** leads to the wet smoke outlet **210**, which permits a hookah hose to be attached thereto. When the hookah hose **100** of the present invention is attached to the wet smoke outlet **210**, the wetted smoke is conducted to the reservoir **108**. It is preferred that the reservoir **108** of the hookah hose **100** include a preferred sizing as indicated within the present disclosure. Furthermore, it is preferred that the wet smoke outlet **210** be sized similar to the shank aperture **122** to prevent back pressure at the shank aperture and wet smoke outlet juncture. It is further preferred that the shank aperture, wet smoke outlet, and wet smoke passage include comparable cross section sizing.

The reservoir bears the coolant cartridge of the present invention and cools **310** by contact the wetted smoke passing through the reservoir. It is significant that smoke has passed through two layers of cooling and a layer of filtration with the use of only two media, the liquid barrier and the coolant cartridge. Depending upon the configuration of the internal voids of the hookah system, including the preferred sizings of the present invention, the two layers of filtration/manipulation convey no substantial negative pressure effects beyond those of the single uniform liquid layer. Further advantages of the present system, hose, and process are apparent in that depleted coolant cartridges, i.e. those that have an internal temperature approximately equal to or greater than that of room temperature, may be replaced while one or more users continue to use the hookah system. Furthermore, the use of coolant cartridges specifically adapted to alter fluid pressure within the hookah to suit the user may be achieved through the current process and system. For example, users desiring greater smoke force may utilize coolant cartridges with aggregated smoke channels having a cross section less than, particularly substantially less than, the wet smoke passage of the hookah conduit, shank aperture, wet smoke outlet, or other internal passage.

For example, users desiring less smoke force may utilize coolant cartridges with aggregated smoke channels having a cross section greater than, particularly substantially greater than, the wet smoke passage of the hookah conduit, shank aperture, wet smoke outlet, or other internal passage. The velocity of resulting smoke will be related to the internal constrictions of the hookah; by placing constriction elements within the hose, the constriction may be suited to the user of a particular hose rather than an agreed upon pressure of a hookah or water pipe. The velocity of dry and wet smoke is altered significantly in the present invention due to the substantially varying diameters of the dry smoke conduit **208**, base **214**, wet smoke outlet **210**, shank opening **212**, wet smoke conduit **122**, wet smoke passages **118**, and the mouthpiece aperture **114**. The use of the present invention in relation to the pressure increase of the dry smoke conduit to the base, from the base to the wet smoke outlet/shank opening may be greatly ameliorated by the configuration of the wet smoke passages of the coolant cartridge in the cavity—either for greater or lessor pressure. The use of an autoseal mechanism **290** contributes to internal pressure stability by permitting a user to "purge" the stem of overpressure. The autoseal mechanism may include a sealing mechanism such as that disclosed in United States Patent Published Patent Application No. 2006/0272657, which is hereby incorporated by reference.

Although the present invention has been described in considerable detail with reference to certain preferred versions thereof, other versions would be readily apparent to those of ordinary skill in the art. Therefore, the spirit and scope of the appended claims should not be limited to the description of the preferred versions contained herein.

What is claimed is:

1. A hookah hose for the transport of cooled, wetted smoke, said hose comprising:

an inflexible shank having a shank aperture and defining an interior wet smoke passage in fluid communication with said shank aperture;

a flexible conduit, affixed to said shank, further defining said interior wet smoke passage, wherein said wet smoke passage includes a wet smoke passage diameter,

an inflexible mouthpiece having a mouthpiece aperture, affixed to said flexible conduit in fluid communication with said flexible conduit;

a mouthpiece reservoir, affixed directly adjacent to said mouthpiece, with an inflexible, segmentable shell defining an interior cavity, with a cavity diameter, in fluid communication with said wet smoke passage and said cavity diameter is greater than said wet smoke passage diameter and a diameter of said shank aperture; and

at least one coolant cartridge, dimensioned to be positioned within said cavity, with a membrane sealingly bearing an artificial cold source, and said cartridge dimensioned to include at least one wet smoke channel.

2. The hookah hose of claim **1** wherein coolant cartridge includes multiple, peripheral wet smoke channels.

3. The hookah hose of claim **1** wherein an aggregation of said wet smoke channels results in an aggregated channel cross-section area at least dimensionally comparable to a cross-section area of said wet smoke passage.

4. The hookah hose of claim **3** wherein said aggregated channel cross-section area is greater than said wet smoke passage cross-section area.

5. The hookah hose of claim **1** further comprising a shank reservoir, affixed directly adjacent to said shank, with an inflexible, segmentable shell defining an interior cavity, with a cavity diameter, in fluid communication with said wet smoke passage; and said coolant cartridge.

6. The hookah hose of claim **5** wherein said coolant cartridge within said shank reservoir and said coolant cartridge within said mouthpiece reservoir include peripheral wet smoke channels.

7. The hookah hose of claim **5** wherein an aggregation of said wet smoke channels of said coolant cartridge within said shank reservoir results in an aggregated shank channel cross-section area: at least dimensionally comparable to a cross-section area of said wet smoke passage, and at least dimensionally comparable to an aggregation of said wet smoke channels of said coolant cartridge within said mouthpiece reservoir.

8. A hookah system for the transport of cooled, wetted smoke, said system comprising:

a hookah base, dimensioned to contain an interior fluid medium,

a removable hookah stem, capable of sealed fit upon said hookah base, comprising:

a wet smoke duct within said hookah stem positioned over said base and terminating in a wet smoke outlet; and

a dry smoke conduit dimensioned to release dry smoke to a substantial depth within said hookah base;

a hookah hose comprising:

an inflexible shank having a shank aperture, adapted to releasable affix to said hookah stem, and defining an interior wet smoke passage in fluid communication with said shank aperture and said wet smoke outlet;

a flexible conduit, affixed to said shank, further defining said interior wet smoke passage, wherein said wet smoke passage includes a wet smoke passage diameter;

an inflexible mouthpiece having a mouthpiece aperture, affixed to said flexible conduit in fluid communication with said flexible conduit;

a mouthpiece reservoir, affixed directly adjacent to said mouthpiece, with an inflexible, segmentable shell defining an interior cavity, with a cavity diameter, in fluid communication with said wet smoke passage and said cavity diameter is greater than said wet smoke passage diameter and a diameter of said shank aperture; and

at least one coolant cartridge, dimensioned to be positioned within said cavity, with a membrane sealingly bearing an artificial cold source, and said cartridge dimensioned to include at least one wet smoke channel.

9. The hookah system of claim **8** wherein said hookah stem includes at least two wet smoke ducts that include a first wet smoke duct and a second wet smoke duct terminating in a first wet smoke outlet and a second wet smoke outlet, respectively; and at least two hookah hoses.

10. The hookah system of claim **9**, wherein said at least two wet smoke ducts include an automatically sealing first wet smoke duct and an automatically sealing second wet duct.

11. The hookah system of claim **8** wherein coolant cartridge includes multiple, peripheral wet smoke channels.

12. The hookah system of claim **8** wherein an aggregation of said wet smoke channels results in an aggregated channel cross-section area at least dimensionally comparable to a cross-section area of said wet smoke passage.

13. The hookah system of claim **12** wherein said aggregated channel cross-section area is greater than said wet smoke passage cross-section area.

* * * * *

EXHIBIT K

Registration #: *-APPLICATION-*
Service Request #: 1-3566596511

Mail Certificate

Mya Saray, LLC
Mazin Badawi
43671 Trade Center Place
Unit 114
Sterling, VA 20166 United States

Priority: Routine **Application Date:** June 07, 2016

Correspondent

Organization Name: Mya Saray, LLC
Name: Mazin Badawi
Email: myasaray@myasaray.com
Telephone: (703)996-8800
Address: 43671 Trade Center Place
Unit 114
Sterling, VA 20166 United States

Registration Number
-APPLICATION-

Title

Title of Work: Freeze Hose Product Packaging

Completion/Publication

Year of Completion: 2011
Date of 1st Publication: February 02, 2011
Nation of 1st Publication: United States

Author

- Author: Aramica, Corp.

Author Created: 2-D artwork
Work made for hire: Yes
Domiciled in: United States

Copyright Claimant

Copyright Claimant: Mya Saray, LLC
43671 Trade Center Place, Unit 114, Sterling, VA, 20166, United States
Transfer statement: By written agreement

Limitation of copyright claim

Material excluded from this claim: photograph

New material included in claim: 2-D artwork

Rights and Permissions

Organization Name: Mya Saray, LLC
Name: Mazin Badawi
Email: myasaray@myasaray.com
Telephone: (703)996-8800
Address: 43671 Trade Center Place
Unit 114
Sterling, VA 20166 United States

Certification

Name: M. Keith Blankenship
Date: June 07, 2016
Applicant's Tracking Number: DNMYA-0072

EXHIBIT L

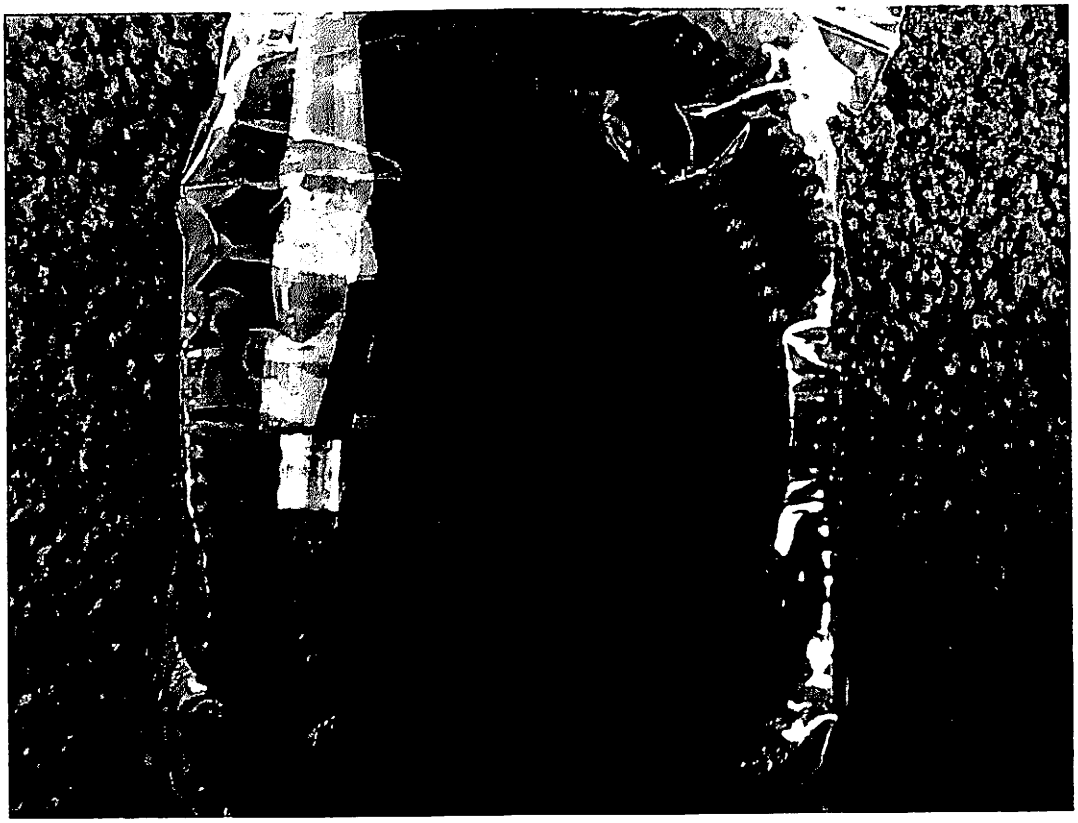
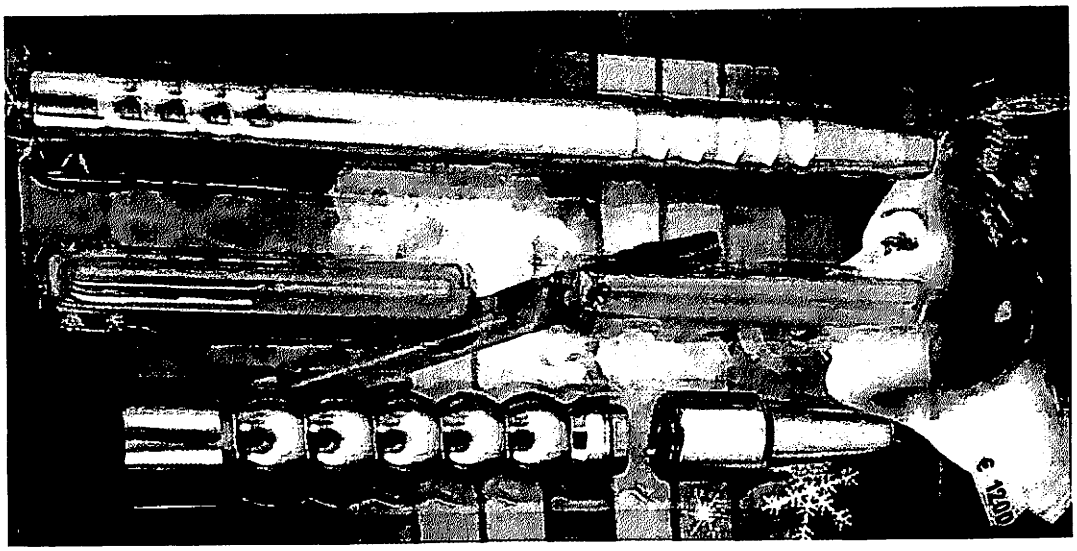


EXHIBIT M



JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS
MYA SARAY, LLC

(b) County of Residence of First Listed Plaintiff Alexandria
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
M. Keith Blankenship, Da Vinci's Notebook, LLC; 10302 Bristow Center Dr. No. 52; Bristow, VA 20136 - 703-581-9562

DEFENDANTS
Dabes, Ibrahim; Allabadie, Alla

County of Residence of First Listed Defendant N/A
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question *(U.S. Government Not a Party)*
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☒ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District *(specify)* ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
15 U.S.C. 1114
Brief description of cause:
Trademark Infringement/Unfair Competition/Patent Infringement/Copyright Infringement

VII. REQUESTED IN COMPLAINT:
☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.
DEMAND $
CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

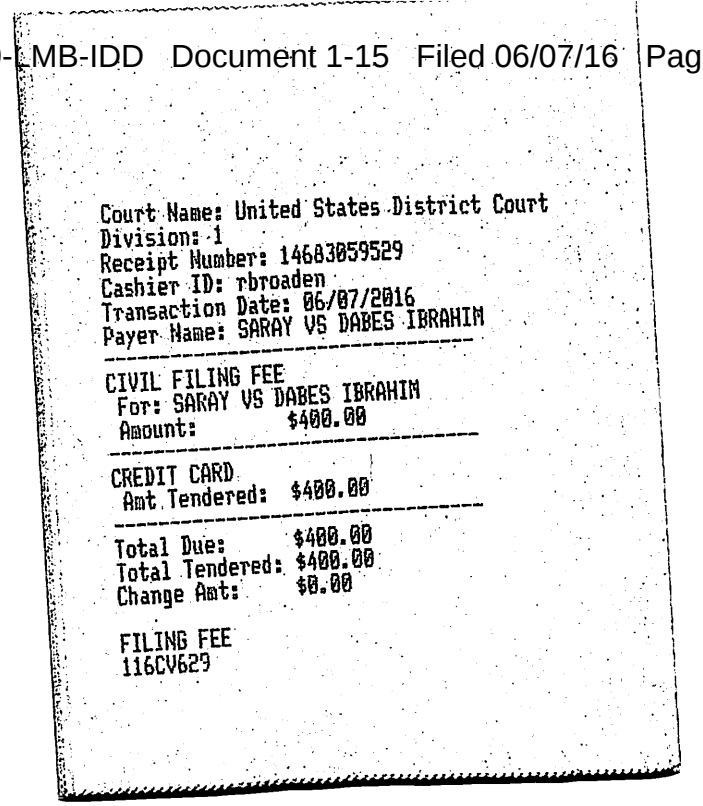
VIII. RELATED CASE(S) IF ANY *(See instructions)*:
JUDGE J. Brinkema DOCKET NUMBER 1:16cv64

DATE
06/07/2016

SIGNATURE OF ATTORNEY OF RECORD
M. Keith Blankenship

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____



Court Name: United States District Court
Division: 1
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CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2016, I caused a true and correct copy of the foregoing OPPOSITION TO MOTION TO SUSPEND PROCEEDINGS PENDING CIVIL LITIGATION to be served on the attorney for the Petitioner, as designated below, by United States Mail, first class, postage prepaid, addressed as follows:

M. Keith Blankenship, Esq.
Da Vinci's Notebook, LLC
10302 Bristow Center Dr. #52
Bristow, VA 20136
Ph: (703) 646-1406
keith@dnotebook.com

/s/John E. Lord
John E. Lord